

Proposed Natural Resources Plan:

Submitter:

**CBEC**

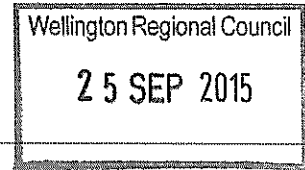
Submitter Number:

**S101**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: joanne shanks  
 Organisation name: (If applicable) CBEC  
 Address for Service: 190 pukepoto rd Kaitaia

Telephone no's: Work: 09 408 1092 Home: Cell: 0226393154

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address:

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following decision from WRC (give precise details): →	That "Climate change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 3.4	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	: I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.4.4	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

Date: 25/08/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

## Publication of details

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Petroleum Exploration and Production  
Association of New Zealand**

Submitter Number:

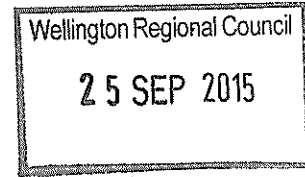
**S102**





25 September 2015

The Proposed Natural Resources Plan  
Greater Wellington Regional Council  
PO Box 11646, Manners Street  
Wellington 6142  
[regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)



## Submission on the Proposed Natural Resources Plan for the Wellington Region

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### Details

This document constitutes the Petroleum Exploration and Production Association of New Zealand's (PEPANZ) submission in respect of the Proposed Natural Resources Plan for the Wellington Region ("the Plan"), which was publicly notified by the Wellington Regional Council on 31 July 2015.

Our contact details are as follows:

Andrew Saunders  
Policy Manager  
Petroleum Exploration and Production Association of New Zealand  
[andrew@pepanz.com](mailto:andrew@pepanz.com)  
PO Box 5227, Lambton Quay, Wellington, 6145  
04 494 8974

We could not gain an advantage in trade competition through this submission.

We do wish to be heard in support of our submission.

### Introduction

PEPANZ represents private sector companies holding petroleum exploration and mining permits, service companies and individuals working in the industry. PEPANZ members account for more than 95% of New Zealand's hydrocarbon production and include the operators of offshore producing fields and exploration permits.

The upstream petroleum industry in New Zealand has historically not been particularly active in the Wellington Region although wells have been drilled onshore and offshore in the eastern part of the region. Wellington has however for many years been the commercial centre for the industry in New Zealand with a number of firms based in the city. There are currently no exploration permits held over land in the region although some were held until recently. Offshore exploration permits in the Pegasus Basin have been granted by the Crown in recent years. The Hikurangi margin is also thought to be one of New Zealand's promising gas hydrate locations.

### General Submission

In the future there is a potential for the upstream petroleum industry to develop in the region, most likely offshore in the Pegasus Basin that extends East and South from the Wairarapa Coast.

Development of petroleum resources in these permits or subsequent ones could bring substantial benefits to the Wellington region and the country.

Exploration for and particularly development of these resources, even if predominately offshore and in the Exclusive Economic Zone, would have implications for the Wellington Region in terms of economic activity and infrastructure. Wellington Harbour would be a logical shore base for offshore operations and any offshore developments could involve onshore production facilities with connecting pipelines to shore through the coastal marine area. Whilst nascent at this stage it is appropriate for this to be factored into planning at this time given the 10-year time horizon for the Plan. We for instance consider the potential for petroleum production and associated facilities (e.g. pipelines) should be factored into the definition of regionally significant infrastructure.

### Submission on specific provisions

We support **Objective O53**, which provides that "Use and development in the coastal marine area has a functional need or operational requirement to be located there." Offshore petroleum developments might involve onshore production facilities that would in turn require connecting pipelines through the coastal marine area.

We consider **Policy P92** requires amendment. It appears to be focussed on hydrocarbon wells/bores although it is titled "Discharges from hydraulic fracturing". The rationale for this title is unclear and it is inconsistent with the content of the policy. We recommend the following example, taken from the Draft Freshwater and Land Management Plan for Taranaki<sup>1</sup>, which outlines a more comprehensive approach to managing the relevant issues relating to wells and bores:

"Well or bore siting, construction, alteration, or decommissioning must be managed in a way that:

- (a) complies with recognised standards, codes of practice, or regulations, particularly in relation to the maintenance of well or bore integrity and decommissioning;
- (b) avoids aquifer cross-contamination or aquifer contamination from open or unsealed wells or bores, and from other operational activities;
- (c) selects best practice drilling and construction methods, including the type of muds and other construction materials used;
- (d) minimises effects on the reliability of groundwater supply for properly constructed, efficient and fully functioning existing bores; and
- (e) ensures that well or bore logs are prepared and made available for the construction or alteration of wells or bores."

We oppose **Policy P93** (Disposal of hydraulic fracturing chemicals or materials). We can see no logical reason why disposal of such materials if generated within the Wellington region would be treated any differently from that of other chemicals or materials.

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<sup>1</sup> Policy 8.3 on page 32, document available from:  
<http://www.trc.govt.nz/assets/taranaki/environment/water/DraftPlan2015/DraftPlan-April2015W.pdf>

Proposed Natural Resources Plan:

Submitter:

**Wairarapa Winegrowers Association**

Submitter Number:

**S103**

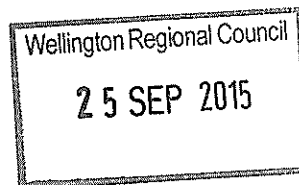


Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Paul Mason (Chair of Wairarapa Winegrowers Association)

Organisation name: (If applicable) Wairarapa Winegrowers

Address for Service: C/o T De Jonge, Secretary Wairarapa Winegrowers, 15 Colonge Street, Martinborough

Telephone no's: Work: N/A Home: N/A Cell: 021 457 980

Contact person: Paul Mason

Address and telephone no (if different from above):

### Electronic communication

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Email address: info@wairapawinegrowers.co.nz

### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

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I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

Wairarapa Winegrowers Association (WWGA) is a non-profit organisation that is the regional representative of NZ Winegrowers.

We represent all local vineyard owners and wineries within the greater Wairarapa region. We currently have around 80 members ranging from small vineyard owners to large wineries that export to many countries around the world.

By paying winemaking excise and/or grape grower levies to NZ Winegrowers, companies automatically become members of WWGA.

WWGA has a number of key aims and objectives:

- To provide advocacy to its members
- To provide general advice with regard to grape growing and wine making
- To organise and operate a programme of continuing education for grape growers and wine makers
- To help the general promotion of Wairarapa grapes and wines
- To hold meetings and take action as necessary to meet aims and objects

Members have access to material from New Zealand Grapevine Improvement Group (NZVIG), Wine Institute of New Zealand (WINZ), New Zealand Grape Growers Council (NZGGC), access to field days, seminars, promotional activities and publications and access to social activities.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 5.1.2 – Outdoor Burning  Rule R1 – Outdoor Burning Rule R2 – Frost prevention devices	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<u>Rule R1 – Outdoor Burning:</u> Outdoor burning of vine clippings and associated organic material is an important part of vineyard management and ensures the spread of diseased material is prevented.  <u>Rule R2 – Frost Prevention Devices:</u> The use of frost prevention heaters is one of the critical tools vineyard operators rely upon avoid frost damage to vines during the early stages of the vines annual development .  The proposed permitted activity standards provide for the use of 'Return Stack Heaters', which include a chimney to minimise emissions. This represents what is considered to be good practice by the New Zealand Winegrowers Industry Guidance Note.
	I seek the following decision from WRC (give precise details): →	Retain these rules unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Section 5.1.13 – Ground-based and aerial applications  Rule R36: Agrichemicals – permitted activity	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	WWGA supports the safe and responsible use of agrichemicals in both viticulture and other agricultural and horticultural land-uses.  The proposed rule provides for the ongoing use of agrichemicals as a permitted activity providing certain standards are met. WWGA consider that in general, these permitted activity conditions are reasonable, but caution against duplicating functions that are already managed through other mechanisms. In particular, the repetition of the requirements of the specifics of NZS 8409:2004 Management of Agrichemicals in the rules. Condition (f) of Rule 36 requires that the discharge be

		conducted in accordance with <i>NZS 8409:2004 Management of Agrichemicals</i> . Therefore it is not necessary to repeat <i>NZS 8409:2004 Management of Agrichemicals</i> which is what Conditions (g) to (o) effectively do.
	I seek the following decision from WRC (give precise details): →	Delete Rule R36 conditions (g) to (o)

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>Section 5.1.13 – Ground-based and aerial applications</p> <p>Rule R36: Agrichemicals – permitted activity</p> <p>Exclusion of residential areas and hand/held knapsack applications</p>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>WWGA supports the safe and responsible use of agrichemicals in both viticulture and other agricultural and horticultural land-uses.</p> <p>Rule 36 excludes residential areas and hand/held knapsack applications from the permitted activity of the discharge of agrichemicals into air or onto land where it may enter water. Therefore, as there is no rule permitting these discharges then under section 15(1) of the Resource Management Act 1991, a resource consent is required. WWGA do not believe that this was the intention of the Regional Council. Rather, that a separate permitted activity rule with appropriate conditions for residential areas and hand/held knapsack applications should be included in the Plan.</p>
	I seek the following decision from WRC (give precise details): →	Include a separate permitted activity rule with appropriate conditions for ground based and aerial applications of agrichemicals in residential areas and hand/held knapsack applications and any other consequential amendments to achieve the relief sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>Section 5.3.6 – Fertilizer and Animal Effluent</p> <p>Rule R85: Application of compost to land - permitted activity</p> <p>Rule R86 – Application of compost to land - restricted discretionary activity</p>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>The proposed Rule 85 provides for the discharge of compost to land as a permitted activity subject to conditions. Proposed Rule 86 applies to the application of compost to land where the conditions in Rule 85 have not been met as restricted discretionary activity.</p> <p>WWGA supports this rule.</p>
	I seek the following decision from WRC (give precise details): →	Retain these rules unchanged.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
<p>Section 5.3.6 – Fertilizer and Animal Effluent</p> <p>Rule R85: Application of compost to land - permitted activity</p> <p>Rule R86 – Application of compost to land - restricted discretionary activity</p> <p>Section 5.3.9 – All other discharges</p> <p>Rule 93: All other discharges to land – discretionary activity</p>	<p>Reasons for my submission: →</p>	<p>The proposed Rule 85 provides for the discharge of compost to land as a permitted activity subject to conditions. Proposed Rule 86 applies to the application of compost to land where the conditions in Rule 85 have not been met as restricted discretionary activity.</p> <p>There is no rule that provides for the discharge winery wastewater system sludge to land as a permitted activity and therefore this activity would default to Rule 93 as a discretionary activity.</p> <p>WWGA consider that that the application of winery wastewater system sludge to land has less minor adverse effects due to the minimal volume and characteristics of the sludge. As such a new Rule providing for the discharge of winery waster system sludge to land subject to appropriate conditions, should be added to the Plan.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Insert a new Rule providing for the discharge of winery wastewater system sludge to land subject to appropriate conditions as a permitted activity.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
<p>Section 5.3.4 – Treated Wastewater</p> <p>Rule R80: Discharge of Treated Wastewater</p>	<p>Reasons for my submission: →</p>	<p>The proposed Rule R80 is likely to capture most, if not all, winery wastewater disposal operations and appears to include them in the same grouping as human wastewater.</p> <p>WWGA consider that this grouping is not appropriate and that a separate provision for winery wastewater discharges to land as a permitted activity should be provided in the Plan.</p> <p>Winery wastewater has different characteristics to that of other industrial and trade waste discharges and providing the system is appropriately designed, will have no more than minor adverse effects on soil and ground-water quality. Many wineries are accredited under Sustainable Winegrowing New Zealand (SWNZ) and Organic Winegrowers New Zealand (OWNZ) which encourage discharge of winery wastewater to land. In addition the volume and composition of the discharge is different in the Wairarapa, compared to other parts of the country.</p> <p>WWGA consider that winery wastewater discharges should be permitted activities, subject to appropriate conditions.</p>



		Applications that fail to meet the conditions should be controlled activities with the default activity status being restricted discretionary.
	I seek the following decision from WRC (give precise details): ¶	<p>The addition of the following rules:</p> <p>Rule R80A – Viticulture and Horticulture Liquid Wastes: The discharge of treated wastewater from the processing of fruit and vegetables (including viticulture activities) is a permitted activity provided the appropriate conditions are met (e.g. BOD<sub>5</sub> limit, application rate limit, separation from surface water bodies, etc).</p> <p>Rule 80B - Viticulture and Horticulture Liquid Wastes: The discharge of treated wastewater from the processing of fruit and vegetables (including viticulture activities) that does not meet the conditions of Rule R80A is a controlled activity provided the appropriate conditions are met (e.g. BOD<sub>5</sub> limit, application rate limit, separation from surface water bodies, etc) and matters of control formulated.</p> <p>Notification: In respect of Rule 80B, applications are precluded from public notification (unless special circumstances apply).</p> <p>Rule 80C - Viticulture and Horticulture Liquid Wastes: The discharge of treated wastewater from the processing of fruit and vegetables (including viticulture activities) that does not meet the conditions of Rule R80B is a restricted discretionary activity provided the appropriate conditions are met (e.g. BOD<sub>5</sub> limit, application rate limit, separation from surface water bodies, etc) and specified matters to which Council have restricted their discretion are formulated.</p> <p>Notification: In respect of Rule 80C, applications are precluded from public notification (unless special circumstances apply).</p> <p>And any other consequential amendments necessary to achieve the relief sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p>Section 5.3.8 – Refuse, Silage and Compost</p> <p>Rule R90 – Manufacture and storage of silage and compost</p>	<p>My submission on this provision is: →</p> <p>Reasons for my submission: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision</p> <p><input checked="" type="checkbox"/> I <b>oppose</b> the provision</p> <p><input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p> <p>As a by-product of the winemaking process, wineries and vineyards produce a significant volume of residual organic material. While there are multiple options to disposing of this material, composting this material and returning it to the land in the form of compost, is one of the most common (and sustainable) methods.</p> <p>The proposed permitted activity conditions require, amongst other things, that the discharge does not contain any hazardous substances. WWGA considers that the residual solid waste from</p>
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		<p>the wine making process is not a hazardous substance due to its specific characteristics.</p> <p>In addition, the condition(c) regarding stormwater entering the manufacturing or storage area – it is assumed that this does not refer to rainfall, but rather on-ground stormwater runoff. WWGA note that it is unusual for wineries/vineyards compost areas to be roofed due to cost and practicality issues. This condition could be clarified by adding the term "runoff" following the word 'stormwater'.</p> <p>Condition (d) only refers to "silage" storage areas and not compost storage areas. WWGA assume that this differentiation is intentional and notes the cost and practicality issues should it be proposed for compost storage areas.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Rule 90 as follows:</p> <p>Rule R90: Manufacture and storage of silage and compost – permitted activity</p> <p style="padding-left: 40px;">(c) <i>stormwater runoff is prevented from entering into the manufacture or storage area, and</i></p> <p>Retain unchanged</p> <p>Rule R90: Manufacture and storage of silage and compost – permitted activity</p> <p style="padding-left: 40px;">(d) <i>the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and..</i></p>

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: 

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

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Proposed Natural Resources Plan:

Submitter:

**Cuttriss Consultants Limited**

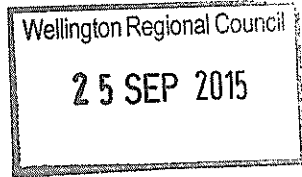
Submitter Number:

**S104**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11846  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: \_\_\_\_\_

Organisation name:  
 (If applicable) Cutriss Consultants Limited

Address for Service: PO Box 30429, Lower Hutt 5010

Telephone no's: Work: 04 939 9248 Home: \_\_\_\_\_ Cell: 027 246 4427

Contact person: Michelle Grinlinton-Hancock

Address and telephone no (if different from above): \_\_\_\_\_

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Email address: michelle@cutriss.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are **not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rules 50 and 51	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The requirement to gain consent for all existing infrastructure is an onerous requirement. Although the intent behind the rule is understood in terms of achieving water quality data on stormwater discharges from local authority networks, this requirement will put unreasonable costs on local authorities and subsequently rate payers as local authorities source funding for this work.
	I seek the following decision from WRC (give precise details): →	That the provisions be deleted or alternatively amended so that: - point 3 of the matters of control is a condition rather than a matter of control - If Rules 50 and 51 are retained in the plan, then a Permitted Activity Rule be inserted which provides for the construction of new discharge pipes to be

		constructed in areas subject to a Stormwater Management Strategy.
--	--	---

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 42	My submission on this provision is: ➔	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	The rule will provide for minor discharges of stormwater where the adverse effects will not be significant and will reduce the volume of consent applications that were being applied for, and granted on a regular basis.
	I seek the following decision from WRC (give precise details): ➔	That the rule be retained.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R54	My submission on this provision is: ➔	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	The rule references specific documents and will become outdated over the lifetime of the Plan, should these documents be amended and/or renamed.
	I seek the following decision from WRC (give precise details): ➔	That provisions (a) and (b) be amended to include any future iterations of these documents.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R70	My submission on this provision is: ➔	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	The volume specified in (f) would require that the majority of development sites across Wellington would be required to obtain regional consent as well as local authority consent. Or alternatively would require regional consent even though they comply with the earthworks standards of the local authority plans. It is also noted that if the Permitted Activity standards cannot be met then the activity status defaults to Discretionary Unrestricted.
	I seek the following decision from WRC (give precise details): ➔	That the rule be amended so that: - (f) relates to a greater volume of material (i.e. 1000 cubic metres) - that the rule be amended to include an exemption that enables earthworks being undertaken in association with a subdivision, and/or earthworks associated with residential and building developments be exempt from the standards set under (f).

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]



**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R99	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Where earthworks cannot meet the Permitted Activity standards, the activity status defaults to Discretionary Unrestricted. Where one or two of the standards cannot be met, a lesser activity status should be able to be applied.
	I seek the following decision from WRC (give precise details): →	Insert a rule allowing for activities that cannot meet one or two of the Permitted Activity standards to be considered as a Controlled or Restricted Discretionary Activity with control or discretion being retained over the standard(s) not met.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.4 General Provisions	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	These are supported as they are essentially best practice for minimising the adverse effects of an activity on a water way, and these were commonly included as conditions of consent. With these as standards, they do not need to be conditions on consents, which makes consent decisions more concise.
	I seek the following decision from WRC (give precise details): →	That the provision be retained.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R112	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Where upgrade and maintenance works cannot meet the Permitted Activity standards, the activity status defaults to Discretionary Unrestricted. Where one or more of the standards cannot be met, a lesser activity status should be able to be applied.
	I seek the following decision from WRC (give precise details): →	Insert a rule allowing for activities that cannot meet one or two of the Permitted Activity standards to be considered as a Controlled or Restricted Discretionary Activity with control or discretion being retained over the standard(s) not met.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R129	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	It is not clear where erosion protection measures fit in terms of the rules associated with Wetlands and Rivers and it appears that other than repairs and maintenance to existing structures, all new structures would require consent under Rule R129.
	I seek the following decision from WRC (give precise details): →	Insert a rule providing for erosion protection measures, rather than have them default to a catchall Discretionary Unrestricted activity status.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R140	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	In some parts of the Region, dewatering is a necessary and unavoidable part of construction works and for this reason a rule specifically related to dewatering is supported. However, the majority of construction projects would require dewatering for more than one month.
	I seek the following decision from WRC (give precise details): →	Amend the rule to insert the following - provision of dewatering for longer than a month, where the rate of take does not exceed a specified rate (may vary for regions); - provision of dewatering for longer than a month at an uncapped rate, in circumstances where the water will be returned to the same water source

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule K.R1	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Water take limits are supported in principal. In parts of the Region, dewatering is a necessary and sometimes unavoidable part of development works. It is considered that dewatering, where the water will not be permanently removed from the water cycle, or where it will be returned to the same water source, should be excluded from water allocation limits.
	I seek the following decision from WRC (give precise details): →	Amend the rule to exclude dewatering from being subject to the water allocation rules, where: - the dewatering water will not be permanently removed from the water cycle. - the dewatering water will be returned to the same water source.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**Woodridge Homes Limited**

Submitter Number:

**S105**



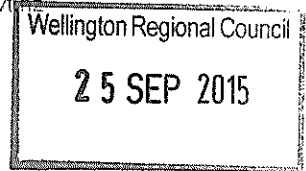
Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to

Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Woodridge Homes Ltd

Organisation name:  
(If applicable)

Address for Service: Cardno, PO Box 38098 Wellington Mail Centre, Lower Hutt

Telephone no's: Work: (04) 8969104 Home: Cell: 0210631999

Contact person: Rhys Phillips

Address and telephone no (if different from above):

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: rhys.phillips@cardno.co.nz

### Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

## Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 5.1- Air Quality	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>There is no permitted rule for air discharges from cleanfill sites, as a result they would be a discretionary activity under Rule R41 – All other discharges.</p> <p>The materials disposed of in cleanfills must meet the waste acceptance criteria of the Ministry for the Environment's "Guide to the Management of cleanfills" (January 2002). No contaminated material can be accepted and therefore the only likely discharges are stormwater and dust.</p> <p>Provided the dust generated from the cleanfill does not adversely affect an adjoining property owner these discharges should be permitted.</p>
	I seek the following decision from WRC (give precise details): →	Add a permitted rule for air discharges from cleanfills.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R42 and Rule R48	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>A 100g/m<sup>3</sup> limit of total suspended solids discharged into other areas is a more realistic and achievable target.</p> <p>R42 – There needs some clarification in the rule as to whether or not stormwater is excluded from this rule. Stormwater is also covered by Rule R48.</p>
	I seek the following decision from WRC (give precise details): →	Retain 100g/m <sup>3</sup> limit, add wording to R42 to clarify that stormwater discharges are covered by R48.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R50 and R51	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>All District Council stormwater networks will require a higher level of management due to these rules. It is envisaged that the requirement to obtain the appropriate discharge consents will be passed onto developers by the District Councils and Wellington Water Ltd.</p> <p>The wording of any future discharge permit would need to be extremely carefully considered.</p> <p>Rule 48 permits the discharge of stormwater into the existing system. A discharge consent which is specific to an area or sets restrictive quality limits may be breached by adding additional stormwater from the roves, driveways and roads of future developments (which is permitted). Who would be responsible for this? the new house owner? or the District Council as the</p>



		holder of the discharge permit? Would a new consent be required or a variation to the existing consent?
	I seek the following decision from WRC (give precise details): →	The workability of these rules and their implications for developers and District Councils needs to be further considered and explained.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rule R54, R55 and R56	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>R55 – It is highly unlikely that the discharges from a contaminated site would meet (b)(i) Drinking Water Standards New Zealand 2005 (revised 2008). Setting such a high standards will ultimately result in the vast majority of discharges from contaminated sites being a discretionary under R56.</p> <p>The rule may have unintended consequences. Taking a strict interpretation the rule does not allow stormwater discharges from roofs or hard surfaces on the ground. These discharges, which are unlikely to meet the drinking water standards, due to animal inputs and surface hydrocarbons, may not come into contact with the "contaminated" areas of the land at all. Regardless of this, simply because they originate from a contaminated site they are a discretionary under R56.</p>
	I seek the following decision from WRC (give precise details): →	Consider a less restricted standard for discharges of stormwater from contaminated sites.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

*Hugh Phillips (for Cardno at Rof Woodridge)* Date: 25/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R115 and R114.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>Culvert is not defined in the interpretation section. Therefore, it is unknown what constitutes a culvert and what is able to be placed in a river bed with a maximum length of 20m.</p> <p>Many of the areas yet to be developed around the region have steep valleys where compliance with the 20m length requirement at the same time as District Council road gradient requirements is not possible. The max length of 20m is too restrictive and should be amended to take this into consideration.</p>
	I seek the following decision from WRC (give precise details): →	Define culvert. Delete 20m length and replace with the wording 'the formed culvert crossing shall be no wider/longer than necessary for the crossing'.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R119(k)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The inclusion of (k) effectively prevents the removal of sand, shingle, rock which in the majority of the cases is what is causing the blockage of the stream/stormwater system.
	I seek the following decision from WRC (give precise details): →	Either delete or amend to allow removal of this material down to the natural bed level.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R112	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>The use of the words "excluding any cable, pipe or duct" in permitted activity condition (g) makes R112 unclear. This can be interpreted in two ways: either pipes are excluded from the rule as they are "excluded", or that they are excluded from the 1m projection and 5% plan or cross sectional area requirements and as a result there is no limit on cable, pipe or duct length under permitted activity condition (g).</p> <p>Correspondence from Council indicates that it the latter. However this raises additional issues as R112 requires compliance with either (f) "or" (g). If (g) does not apply then (f) must be complied with and under (f) any maintenance, repair and replacement work must be contained within the form of the original structure. As a result no extension of a pipe, cable or duct would be permitted under this rule. Which is counter intuitive as (g) specifically provided for extensions to structures and Rules R115 and R117 permit new structures.</p> <p>We understand that the inclusion of the words "excluding any cable, pipe or duct" is linked to Rule 28 of the Regional Freshwater Plan (RFP) where permits the construction of such structures across intermittently flowing streams. However, the wording is confusing and as the end result would</p>

		appear to be a situation where such structures are a discretionary activity under rule R129.  We note that Rule R112 also needs to consider the situation of an existing in stream culvert being extended.
	I seek the following decision from WRC (give precise details): →	Reconsider and clarify the wording of Rule 112 to make the extension of cables ducts and pipes a permitted activity. This could include deleting the words "excluding any cable, pipe or duct" from permitted activity condition (g). Alternatively the wording could be amended to read "excluding any <u>overhead</u> cable, pipe or duct" to better align it with Rule 28 of the RFP.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R127	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Development of urban land and in particular greenfield areas often requires the partial reclamation of stream in order for the land to be developed, this is acknowledged by Council in Policy 102.
	I seek the following decision from WRC (give precise details): →	Add a new rule which makes the reclamation of streams for the development of urban land and in particular development in greenfield areas a discretionary activity.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy 102	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	<p>Policy 102 – Reclamation and drainage of the beds of lakes and rivers indicates that reclamation need not be avoided where the land has been identified as a special housing area or is associated with a growth and/or development framework approved under Local Government Act (2002).</p> <p>Not all areas identified for urban development are specifically identified as a special housing area or approved under Local Government Act (2002). The policy should not be so specific and should simply apply the to all areas identified for urban development under a District Plan.</p>
	I seek the following decision from WRC (give precise details): →	Amend and apply the policy to all areas identified for urban development under a District Plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Interpretations	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	No definition of culvert, reclamation or pipe
	I seek the following decision from WRC (give precise details): →	Provide a definition of culvert, reclamation and pipe in the interpretation section.



Proposed Natural Resources Plan:

Submitter:

**Jenny Clark**

Submitter Number:

**S106**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Jenny Clark

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: \_\_\_\_\_  
 6 The Parade, Paekakariki 5034

Telephone no's: Work: Home: Cell:

Contact person: 0223844012

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: ijclark@xtra.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	Sorry, can't see where I can simply support the CRU submission, so you get it all here!  September 2015 Jenny Clark supports the Coastal Ratepayers United (CRU) submission set

		<p>out below.</p> <p>The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to</p> <p>The whole PNRP.</p> <p>Submission on the provisions</p> <p>Oppose and seek amendment.</p> <p>Reasons for the submission</p> <p>The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.</p> <p>This applies both in the coastal marine area and in other areas, including beds of rivers and streams.</p> <p>Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.</p> <p>Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.</p> <p>The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.</p> <p>The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.</p> <p>Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.</p> <p>The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.</p> <p>Decision sought:</p> <p>Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.</p> <p>When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.</p> <p>Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.</p> <p>Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.</p> <p>Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.</p>
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		<p>Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.</p> <p>Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.</p> <p>Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.</p> <p>Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.</p> <p>The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in this submission.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]

- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



**September 2015**

**Jenny Clark supports the Coastal Ratepayers United (CRU) submission set out below.**

**The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

**Submission on the provisions**

Oppose and seek amendment.

**Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to

avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.

The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.

**Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or

precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in this submission.





Proposed Natural Resources Plan:

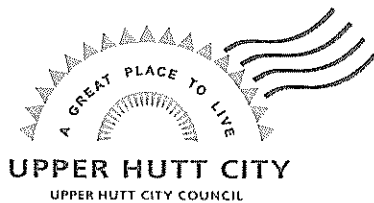
Submitter:

**Upper Hutt City Council**

Submitter Number:

**S107**





Civic Administration Building  
838-842 Fergusson Drive,  
Upper Hutt  
Private Bag 907, Upper Hutt 5140  
Tel: (04) 527-2169  
Fax: (04) 528-2652  
Email: askus@uhcc.govt.nz  
Website: www.upperhuttcity.com

Proposed Natural Resources Plan  
Greater Wellington Regional Council  
PO Box 11646  
Wellington 6142

## Upper Hutt City Council Submission Proposed Natural Resources Plan

Thank you for the opportunity to submit on the proposed Natural Resources Plan that was notified on 31 July 2015.

- Upper Hutt City Council wishes to be heard in support of its submission.
- Upper Hutt City Council is not a trade competitor and would not gain an advantage in trade competition through this submission.

Upper Hutt City Council's submission is set out below.

### **1.0 Partner submissions – to be read in conjunction with this submission**

#### **1.1 Wellington Water submission**

Wellington Water is owned by Hutt, Upper Hutt, Porirua and Wellington City Councils, and Greater Wellington Regional Council to manage the three waters from the source to the sea, and to provide regional water services management at the best value possible to their customers.

Wellington Water has been engaged to prepare a submission on behalf of the above councils that addresses the following matters:

- Whaitua process and outcomes
- Wastewater discharges
- Cost implications
- Stormwater discharges
- Works in best of rivers
- Water allocation and water use efficiency

The submission by Wellington Water considers the above matters on a region-wide basis because the delivery of the three waters services crosses territorial authority boundaries.

**Upper Hutt City Council endorses all points of the submission by Wellington Water.**

Upper Hutt City Council requests that their submission **be read in conjunction with the submission put forward by Wellington Water** on behalf of Upper Hutt City Council, Hutt City Council, Wellington City Council, Porirua City Council and Greater Wellington Regional Council.

## **1.2 Tonkin and Taylor submission**

Upper Hutt City Council and Hutt City Council have engaged Tonkin and Taylor to prepare a submission jointly on their behalf in respect of roading, parks and gardens. Their submission relates to (but is not limited to) the following matters:

- Earthworks and vegetation clearance
- Works in a river bed or wetland
- Discharges to air
- Stormwater discharge
- Groundwater take
- Coastal management (relevant to Hutt City but not relevant to Upper Hutt)

The submission by Tonkin and Taylor considers the above matters on a Hutt Valley-wide basis because many of these major infrastructure services are delivered across the joint territorial authority boundary.

**Upper Hutt City Council endorses all points of the submission by Tonkin and Taylor.**

Upper Hutt City Council requests that their submission also **be read in conjunction with the submission put forward by Tonkin and Taylor.**

## **2.0 Specific matters**

### **2.1 Lack of consideration for urban and modified environments**

The plan still lacks graduation of policies or rules to address different types of environments. Although we support the introduction of rules to protect the natural environment, the 'black and white' nature of control does not adequately take into account the different types of environments, such as urban or rural, modified or pristine, or the differences between the various territorial authority areas within the region.

Wellington City Council has similar concerns about this issue, that we support. WCC intend to request that an amendment be made to Section 4.2 'Beneficial Use and Development' to recognise the contribution urban areas make to the social economic and cultural wellbeing of people and communities and provide for their ongoing use and development. Upper Hutt City Council supports this and makes the same request.

**Decision requested:**

Include a new policy (or similar) in Section 4.2 'Beneficial Use and Development' that recognises the contribution urban areas make to the social economic and cultural wellbeing of people and communities and provide for their ongoing use and development.

## **2.2 Non complying activity status and use of the term 'avoid' in objectives and policies.**

Upper Hutt City Council is concerned that non-complying activity status and the requirement to 'avoid' effects in many objectives and policies will unnecessarily hinder the establishment of activities that may be the most appropriate response to a given issue, or may be a reasonably anticipated use for a particular zone. This is particularly so for urban and modified environments.

Recent case law has reinforced that where the term 'avoid' is used, this is a bottom line and the effects of the activity must in all cases be avoided.

Upper Hutt City Council accepts that there may be instances where it is appropriate to have such a stringent test. However, in many cases, and particularly in modified and urban environments, non-complying activity status and having to avoid effects is overly restrictive.

Wellington Water and Tonkin and Taylor have outlined in their partner submissions particular concerns about this in respect of regionally significant infrastructure. We fully support these points.

### **Decision requested**

Review the use of 'avoid' and 'avoided' in objectives and policies, so that it does not unnecessarily and inappropriately constrain activities that do not result in significant effects, provide essential services for the health and safety of the community, or are reasonably anticipated uses within certain zones.

## **2.3 Stormwater from a local authority network**

Upper Hutt City Council has significant concerns with Rules 50 and 51 relating to Stormwater from a local authority network.

The rationale for these rules requiring a two-stage consenting process is not stated in the objectives. The second stage of the consenting process has discretionary activity status, which is impractical given that the discharge of stormwater cannot be stopped. The term of consents does not appear to have any foundation in the scale or nature of effects, or the impact on any particular environment, and the proposed regime has significant compliance costs. We also have concerns about the use of short-term consents for long-term activities.

In real terms, controlled activity status (with the ability to impose conditions) is the only practical option.

More detail about our specific concerns with these provisions can be found in the submissions from our partners, Wellington Water and Tonkin and Taylor.

**Decision requested**

Amend the rules as requested in the submissions by Wellington Water and Tonkin and Taylor.

**2.4 Protecting economic development potential and managing compliance costs**

Use of the term 'avoid' in policies has the potential to inhibit economic development. For example, the requirement in Policy 67 to avoid the production of contaminants takes no account of the ability to increase efficiencies or embrace emerging technology that would reduce contaminant production.

Upper Hutt has a growing industrial sector with many new and innovative businesses and opportunities that we wish to encourage without overzealous or catch-all environmental regulation that could also increase the cost of establishment and compliance. The business sector is also embracing emerging technology and we would prefer the focus of control to be on the assimilative capacity of the receiving environment than having an outright avoidance policy for the production of contaminants.

We request that along with not using the term 'avoid' as referred to above, that the plan is more accommodating of economic development, particularly when it utilises highly efficient or new technologies to either reduce or accommodate contaminant production.

**Decision requested**

**Amend** various policies, as referred to in Appendix 1.

**2.5 Air quality rules**

The fuels-based approach of the air quality provisions is inconsistent with the effect-based focus of the RMA. The implications are that some activities will require consent despite not having an adverse environmental effect, and activities not anticipated will require consent under the catch-all discretionary rule.

Upper Hutt City Council would like to see the rule chapter for air quality amended so that it applies an effects-based approach to managing air discharges, rather than being activity-focussed.

Also refer to the submission made on behalf of Upper Hutt City Council by Tonkin and Taylor.

**Decision requested**

**Amend** the air quality rules to apply an effects-based approach to managing air discharges.

## 2.6 Potential for duplicate consents required for earthworks

The NRP includes rules relating to earthworks. We note that earthworks may also require resource consent under Upper Hutt City's District Plan. There are permitted activity rules in the District Plan for earthworks (Chapter 23). If earthworks are not permitted they are a restricted discretionary activity with discretion restricted to the matter of non-compliance in question, financial contributions and in some locations, the effects on visual, landscape and ecological values, as well as the measures proposed to avoid, remedy or mitigate potential adverse effects.

UHCC does not oppose the inclusion of earthworks rules in the NRP, but we are aware that this will result in resource consent being required from both GWRC and UHCC in some situations. We request that a note is added to the relevant rules to advise that approval may also be required from the relevant territorial authority.

### Decision requested

**Amend** the earthworks and vegetation clearance rules to note that approval may also be required from the relevant territorial authority.

## 2.7 Potential for duplicate consents required for forestry

The NRP includes rules relating to forestry. We note that forestry may also require resource consent under Upper Hutt City Council's District Plan. We also note that the National Environmental Standard for Plantation Forestry is currently under development, which may impose additional requirements for forestry operations.

Upper Hutt City Council does not oppose the inclusion of requirements for forestry in the NRP, but we are aware that this will result in resource consents being required from both GWRC and Upper Hutt City Council in some situations. We request that a note is added to the relevant rules to advise that approval may also be required from the relevant territorial authority.

### Decision requested

**Amend** the forestry rules to note that approval may also be required from the relevant territorial authority.

## 2.8 Wellington Harbour and Hutt Valley Whaitua

Upper Hutt City Council **supports** the establishment of the Whaitua Committees for specific management of catchment-based water resources.

## 2.9 Effective upkeep of information

Effective implementation of the proposed plan is heavily reliant on a large body of data about the state of the natural environment. The database will need to be kept current to be effective, and there will be cost implications of this. Upper Hutt wishes to state that while we support a comprehensive database and are prepared to discuss co-ordination of information where possible and practical, our ability to assist GW with data collection and management will be limited.

- Upper Hutt City Council **supports** the continued collection and maintenance of the required body of data to effectively implement the plan by GW.
- Upper Hutt City Council **supports** the establishment and continuation of environmental monitoring by GW.

### 2.10 Ongoing monitoring

The integrity of the plan and maintenance of environmental values will also be heavily reliant on consent monitoring and, where necessary, enforcement.

Upper Hutt City Council wishes to state that while we are prepared to discuss co-ordination with GW on these matters where possible and practicable, our ability to assist GW with consent monitoring and enforcement will be limited due to costs and resources.

- Upper Hutt City Council **supports** the establishment and continuation of consent monitoring by GW.
- Upper Hutt City Council is prepared to discuss the co-ordination of consent monitoring functions to the extent that this is possible and practical.

### 3.0 Appendices

Upper Hutt City Council's response to specific points in the Proposed Natural Resources Plan is attached as Appendix 1, which needs to be read in conjunction with this letter.

Appendix 1 also indicates where relief is sought by our partner submitters, Wellington Water and Tonkin and Taylor. Where this is indicated, please refer to the original submission by these submitters for further detail.



Yours sincerely

His Worship the Mayor, Wayne Guppy

Contact: Sarah Duffell, Senior Planner (Policy)  
[Sarah.duffell@uhcc.govt.nz](mailto:Sarah.duffell@uhcc.govt.nz) Phone 527-2129



**Schedules**                      **My submission on this provision is:**                      **Reasons for my submission:**                      **I seek the following from WRC (give precise details):**

Schedule A: Outstanding water bodies	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule F: Ecosystems and habitats with significant indigenous biodiversity values	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule F: Ecosystems and habitats with significant indigenous biodiversity values	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule M: Community drinking water supply abstraction points	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule M: Community drinking water supply abstraction points	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule N: Stormwater management strategy	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule Q: Reasonable and efficient use criteria	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	
Schedule I: Important trout fishery rivers and spawning waters	Amend	Refer to submission made by Wellington Water on behalf of Upper Hutt City Council	



**Maps**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Map 1: Outstanding water bodies (Schedule A1, A2, A3)

Amend

Refer to submission made by Wellington Water on behalf of Upper Hutt City Council

Map 13c: Rivers and lakes with significant indigenous ecosystems: habitat for six or more migratory indigenous fish species (Schedule F1)

Amend

Refer to submission made by Wellington Water on behalf of Upper Hutt City Council

Map 21d: Modelled river classes – Wellington Hutt Valley and Wainuiomata catchments (Table 3.1)

Amend

Refer to submission made by Wellington Water on behalf of Upper Hutt City Council

Map 26: Surface water community drinking water supply protection areas (incorporates Schedule M1)

Amend

Refer to submission made by Wellington Water on behalf of Upper Hutt City Council

Map 27b: Groundwater community drinking water supply protection areas – Hutt Valley (incorporates Schedule M2)

Amend

Refer to submission made by Wellington Water on behalf of Upper Hutt City Council



Proposed Natural Resources Plan:

Submitter:

**Southern North Island branch of the  
National Beekeepers Association**

Submitter Number:

**S108**

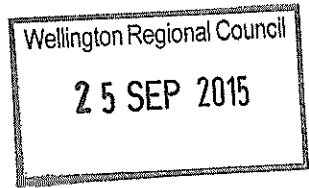


#1526094  
S.108

**Darrell Young**

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**From:** Regional Plan  
**Sent:** Friday, 25 September 2015 12:43 p.m.  
**To:** Records  
**Subject:** FW: submission on the regional plan



**Paul Denton** | Senior Policy Advisor, Environmental Policy  
**GREATER WELLINGTON REGIONAL COUNCIL**  
*Te Pane Matua Taiao*  
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011

PO Box 11646, Manners St, Wellington 6142  
T: 04 830 4037 | [www.gw.govt.nz](http://www.gw.govt.nz)

**From:** Frank & Mary-ann Lindsay [<mailto:lindsays.apiaries@clear.net.nz>]  
**Sent:** Friday, 25 September 2015 12:30 p.m.  
**To:** Regional Plan  
**Cc:** Pauline Downie  
**Subject:** submission on the regional plan

26 Cunliffe Street  
Johnsonville  
Wellington 6037

25th Sept 2015

### **Propose Natural Resources Plan**

I wish to put in a submission on the proposed Natural Resources Plan for the Wellington Region. I am making it on behalf of the southern North Island branch of the National Beekeepers Association. I am a life member of the association and the branch's ex-secretary. (Our current secretary is presently overseas).

My submission covers two aspects: open fire burning and clearance and planting of stream and lake beds.

#### **Section 5.1.2 page 96 - Outdoor burning.**

We have one major bacterial disease of honey bees in New Zealand. American Foul Brood (AFB - *Paenibacillus larvae ssp. larvae*) which is a contagious brood disease whose spores last indefinitely, (70 year plus). One larvae dying from this disease creates 2.5 million spores and it only takes 10 spores to infect a larvae less than two days old. This disease, if it remain undetected, kills the bees in the hive, bees from other hives rob the honey so the disease spreads.

AFB is controlled under the Biosecurity Act (American Foul Brood Pest Management Plan) which requires beekeepers on finding this disease to destroy the hive by burning the hives within seven days.

Up to 10 years ago this didn't pose a problem as the hives consisted of untreated wood and wax but now the majority of commercial beekeepers have changed to plastic frames and these have to be burnt which caused a considerable amount of black smoke and pollutants, albeit that the amount being burnt is generally small.

I am not sure of the chemical make-up of plastic but feel its probably covered under Schedule L as a hazardous air pollutant.

Until the government allows and regulates radiation plants that use cobalt 60 for the sterilizing of bee equipment, burning hives is the only option for controlling this disease.

Beekeepers don't want to cause air pollution and we would not like to be contravening the clean air policy but we do not have an option.

Can you please allow for this activity when it is necessary. All hives are burnt under the current fire regulations generally in a hole dug for the purpose or in a hole surrounded by a 44 gallon drum. All material left after burning is buried at least 300 mm so it is below the plough line. That way it won't be a future hazard to bees; (bees can detect exposed wax and nectar 2 kl away). For your information it takes between four and six hours to burn a hive completely.

### **Section 5.5 Wetlands and bed of rivers and lakes**

#### **Page 175/6 - Rule 123 Planting - permitted activity**

**(e) crack willow and grey willow removal.**

**(j) no planting shall be undertaken in an identified river management scheme area.**

Statement : Willows are a key stone specie for honey bees. They provide both nectar and pollen necessary for the development of hives in the spring.

That being said, crack and grey willow are an invasive species that choke rivers and where necessary should be removed, however there are many other willow species that are not invasive and apart from controlling rivers, removes some of the pollutants, plus provide essential food for bees. Willows have been investigated by Dr Linda Newstrom- Lloyd from LandCare under the Trees for Bees programme. She has produced a booklet "Winning with willows - Extending the supply of nutritious pollen for bees in spring" based on her research at the New Zealand Poplar and Willow Research Trust's arboretum at Aokautere near Palmerston North.

<http://www.poplarandwillow.org.nz/documents/winning-with-willows.pdf>

There are many species which make good specimen trees that farmers and land owners can plant along riparian strips to provide stream stability, shelter, bee nutrition and fodder for sheep and cattle in times of drought. Unfortunately with the boom in dairying, in some parts of the country, a large number of trees and hedges on farms have been removed to allow for pivot irrigation systems, creating a green drought for bees, Yet bees are the main pollinators of clover that set the nitrogen necessary for plant growth that the farming economy of New Zealand depends upon. This make the trees lining river systems very important for the future of beekeeping in the lower North Island especially in the Wairarapa.

In the last 20 years we have seen a boom in hive numbers due to the high prices associated with manuka honey. Hive number have gone from 23,000 in the bottom half of the North Island to 127,000, yet the region remain marginal for beekeeping because of summer droughts. We also cannot depend upon manuka for honey production in this region because it so weather dependant. It flowers but doesn't secrete nectar when its too cold or too wet or when its too dry. It requires warm temperatures with rain once a week to produce nectar.

Some Region Councils have set a policy of removing all crack and grey willow trees. We do not disagree with this but contractors have been removing every willow including weeping, golden willow, pussy willows and several other non-invasive willow species .



This policy has upset the anglers as trout like shaded areas along the rivers but has perhaps also had some unforeseen circumstances which came to light in the recent mid-North Island floods in the Wanganui / Waitotara river areas.

The clearing of all willows cause considerable erosion of the river bed in the lower Waitotara River resulting in land and stock losses. It didn't help that this river rose 18 metres (40 kl upstream from the mouth) flooding flat areas taking out over 1000 bee hives as well.

We would like any contractors or Regional Council staff doing willow clearance to be given identification kits to help identify the invasive willows so that no-invasive willows can remain where they are not causing a problem. I would also like to encourage the Regional Council to replace some with those recommended in the Winning with Willows booklet.

There are a number of native species such as flax that provide stability to land plus provide excellent pollen for bees but nothing can compare to the amount of nectar and pollen that willows produce. Also please do not recommend the planting of tutu as this is poisonous to stock and can produce poisonous honey dew when the sucking insect *scolytopa australis* feeds on it.

If you would like further information or assistance, please do not hesitate to contact me. Thank you for considering this submission. Sorry it is a last minute application. It was circulated early enough but didn't reach the top of my to do list until now. Congratulations on such a comprehensive plan.

Frank Lindsay

Email: [lindsays.apiaries@clear.net.nz](mailto:lindsays.apiaries@clear.net.nz)

Phone: 04 4783367

Mobile : 027 403 4559



Proposed Natural Resources Plan:

Submitter:

**Bryce Wilkinson**

Submitter Number:

**S109**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

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### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: bryceleew@gmail.com

### Trade competition

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Sections 3.1-3.13, Objectives 5, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34-51, 58	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
	Reasons for my submission: →	None of these objectives should be pursued except to the degree that the benefits to affected members of the community exceed the costs. To pursue them beyond this point it would be to reduce community well-being, yet that is what the wording promotes.
	I seek the following decision from WRC (give precise details): →	All be amended to provide that the objective is only to be pursued to the degree that the benefits to affected members of the community exceed the costs.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Sections 4.1-4.10, all policies that are connected to objectives 5, ,9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34-51, 58	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	My objection to the open-ended nature of the enumerated objectives carries over to policies that are designed to pursue such extremist objectives
	I seek the following decision from WRC (give precise details): →	Amend or delete all policies that are connected to these objectives and fail to explicitly require that benefits to affected members of the community exceed the costs.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Sections 5.1-5.7, all rules that result in part from policies that are directed at pursuing objectives 5, ,9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34-51, 58	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	As above. Policy P4 is a stand out example of extremism.
	I seek the following decision from WRC (give precise details): →	Amend or delete all rules that are connected to these objectives and fail to explicitly require that benefits to affected members of the community exceed the costs.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): The entire plan	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I don't believe that the PNRP complies with the provisions in section 5 of the RMA or with the NCPS 2010. I support the submission of Coastal Ratepayers United in this respect.
	I seek the following decision from WRC (give precise details): →	That the entire plan be reviewed so that all the provisions are directed at improving community wellbeing, taking real resource costs into account and that the focus on risks on likely risks that individuals cannot readily manage or insure themselves against, not remote, speculative risks.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: B D Wilkinson

Date: 24 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Section 3.1, objective O4	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The word 'intrinsic' is fuzzy and redundant.
	I seek the following decision from WRC (give precise details): →	Delete the word 'intrinsic'

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy P3 under heading 4.1	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The Policy fails to specify that it is necessary to be cautious about imposing unnecessary costs to community well-being through taking the wrong action (as in the Hippocratic oath).
	I seek the following decision from WRC (give precise details): →	Amend the policy so the words "to reducing the wellbeing of affected members of the community" after "precautionary approach"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): "	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	





Proposed Natural Resources Plan:

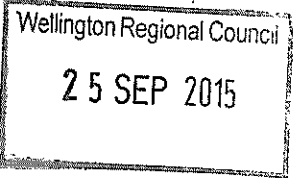
Submitter:

**Environmental                  Defense                  Society**  
**Incorporated**

Submitter Number:

**S110**





## SUBMISSION ON THE PROPOSED WELLINGTON NATURAL RESOURCES PLAN 2015

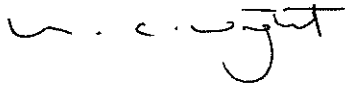
### SUBMITTER DETAILS:

FULL NAME: Environmental Defence Society Incorporated  
ADDRESS FOR SERVICE: PO Box 91736, Victoria Street West, Auckland 1042  
CONTACT: Madeleine Cochrane Wright  
TELEPHONE: 09 480 2565  
EMAIL: [madeleine@eds.org.nz](mailto:madeleine@eds.org.nz)

### SUBMISSION

- A. This is a submission on the proposed Wellington Natural Resources Plan (PNRP).
- B. The Environmental Defence Society (EDS) could not gain an advantage in trade competition through this submission.
- C. EDS wishes to be heard in support of this submission.
- D. If others present a similar case EDS will consider presenting a joint case at hearing.
- E. EDS is a not-for-profit, non-government national environmental organisation. EDS was established in 1971 with the objective of bringing together the disciplines of law, science and planning in order to promote better environmental outcomes in resource management. EDS has been active in assessing the effectiveness of the RMA and planning documents in addressing key environmental issues include landscape protection, coastal management and water quality.
- F. This submission focuses on PNRP's biodiversity focused provisions. We thank the Council for the opportunity it provided to give feedback on these provisions during the development of the PNRP.
- G. High level comments and responses to the specific provisions of the PNRP that this submission addresses are set out in **Annexure 1**. EDS incorporates that annexure into this submission and relies on the points made in it.
- H. EDS seeks the following relief:
  - (a) The relief in **Annexure 1** or alternative relief/wordings which respond to the issues raised; and
  - (d) Such other relief as is considered necessary to address the concerns set out in this submission.

- I. EDS thanks the Council for the opportunity to submit on the PNRP.



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Madeleine Cochrane Wright – 25 September 2015

## Annexure 1

### GENERAL SUBMISSIONS

#### Required approach to plan-making: *Environmental Defence Society v The New Zealand King Salmon Company Limited*

1. The recent Supreme Court decision *Environmental Defence Society v The New Zealand King Salmon Company Limited*<sup>1</sup> (*EDS v King Salmon*) requires a new approach to be taken to plan-making. The focus is on the operative decision-making provisions; in the case of regional plans sections 66 and 67 of the Resource Management Act 1991 (RMA). Section 67(3) RMA requires regional plans to give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS) and any relevant national policy statement. Where the NZCPS or a national policy statement is relevant a regional plan must give effect to it and there is no need to refer back to Part 2 RMA absent invalidity, incomplete coverage or uncertainty of meaning.<sup>2</sup>
2. The Supreme Court also clarified a range of other matters including: the meaning of the word “avoid” (as used in Section 5(2)(c) RMA and provisions of the NZCPS and the National Policy Statement Freshwater Management 2014 (NPSFM)) is “not allow” or “prevent the occurrence of”<sup>3</sup> and the meaning of the word “inappropriate” depends on its context and in sections 6(a) and (b) should be interpreted against the backdrop of what is sought to be protected or preserved.<sup>4</sup> Policies which make use of the word “avoid” are firmly worded directives and constitute environmental bottom lines to which lower order planning documents must give effect.
3. The High Court has recently confirmed that the Supreme Court’s findings in *EDS v King Salmon* are applicable to the NPSFM.<sup>5</sup>

### SPECIFIC SUBMISSIONS

#### Biodiversity

##### *General response*

4. New Zealand’s biodiversity is in a state of crisis and continuing to decline and the Wellington region is no exception<sup>6</sup>. The Wellington Regional Policy Statement (RPS) identifies that around 70 per cent of the indigenous forest and more than 90 per cent of the wetlands that existed in 1840 have been cleared for agriculture and urban development, with most remaining areas modified or degraded in some way<sup>7</sup>. Both the persistence of biodiversity and ecosystem function must be protected as the Wellington region grows and diversifies.
5. There is clear legislative direction as to the nature and level of protection required:
  - (a) The PNRP must be prepared in accordance with the Council’s functions<sup>8</sup> relevantly:
    - i. The control of the use of land for the purpose of the maintenance and enhancement of ecosystems of water bodies<sup>9</sup>; and

<sup>1</sup> *EDS v King Salmon* [2014] NZSC 41.

<sup>2</sup> *Appealing Wanaka Inc v Queenstown Lakes District Council* [2015] NZEnvC 139 relying on *EDS v King Salmon*, at [90].

<sup>3</sup> *EDS v King Salmon*, at [96].

<sup>4</sup> *EDS v King Salmon*, at [100], [101] and [105].

<sup>5</sup> *Hawkes Bay and Eastern Fish and Game Councils v Hawkes Bay Regional Council* [2014] NZHC 3191 at [169] to [172].

<sup>6</sup> See Brown et al, *Vanishing Nature: Facing New Zealand’s biodiversity crisis*, Environmental Defence Society & NZ Law Foundation, Auckland, 2015.

<sup>7</sup> RPS section 3.6 Indigenous ecosystems at page 51.

<sup>8</sup> Section 66(1)(a) RMA.

<sup>9</sup> Section 30(1)(c)(iia) RMA.

*EDS Submission on the proposed Wellington Natural Resources Plan 2015.*

- ii. The establishment, implementation and review of objectives, policies and methods for maintaining indigenous biological diversity<sup>10</sup>.
- (b) The PNRP must be prepared in accordance with Part 2 RMA<sup>11</sup> which includes the environmental bottom lines of:
- i. Sustaining the potential of natural and physical resources to meet the reasonable foreseeable needs to future generations<sup>12</sup>;
  - ii. Safeguarding the life supporting capacities of air, water, soil and ecosystems<sup>13</sup>; and
  - iii. Avoiding, remedying or mitigating any adverse effects of activities on the environment<sup>14</sup>.

The matters of national importance to which the Council must recognise and provide<sup>15</sup> for, relevantly:

- i. The preservation of natural character of the coastal environment, wetlands, and lakes and rivers and their margins<sup>16</sup>; and
- ii. The protection of significant indigenous vegetation and significant habitats of indigenous fauna<sup>17</sup>.

The other Part 2 matters to which the Council must have regard, relevantly:

- i. Intrinsic values of ecosystems<sup>18</sup>;
- ii. Maintenance and enhancement of the quality of the environment<sup>19</sup>; and
- iii. The protection of the habitat of trout and salmon<sup>20</sup>.

- (c) The PNRP must give effect to the NZCPS and the NPSFM<sup>21</sup>, of particular relevance:
- i. Policy 11 NZCPS which requires avoidance of adverse effects and avoidance of significant adverse effects on specified taxa, vegetation, ecosystems and habitats; and
  - ii. Objectives A1(a), A2, B1 NPSFM.
- (d) The PNRP must give effect to the RPS, section 3.6 Indigenous ecosystems being of particular relevance.

6. In addition, biodiversity contributes to freshwater, natural character, landscape and amenity values.
7. Subject to a few minor amendments EDS supports the relevant provisions in the PNRP. However, at the outset we would like to note our serious concern with the use of a permitted standard attached to stock access to waterways.

**Response to specific provisions**

Provision	Submission	Support/Oppose	Relief
Section 2.2 Definitions			
Definition:	The definition aligns with international best practise. In	Support	Retain

<sup>10</sup> Section 30(1)(ga) RMA.

<sup>11</sup> Section 66(1)(b) RMA.

<sup>12</sup> Section 5(a) RMA.

<sup>13</sup> Section 5(b) RMA.

<sup>14</sup> Section 5(c) RMA.

<sup>15</sup> Section 6 RMA.

<sup>16</sup> Section 6(a) RMA.

<sup>17</sup> Section 6(c) RMA.

<sup>18</sup> Section 7(d) RMA.

<sup>19</sup> Section 7(f) RMA.

<sup>20</sup> Section 7(h) RMA.

<sup>21</sup> Section 67(3) RMA.

"Biodiversity offsets"	particular it: <ul style="list-style-type: none"> <li>- Identifies that offsetting is applied to residual adverse effects after the mitigation hierarchy has been applied.</li> <li>- Requires a demonstration of no net loss and preferably a net gain.</li> </ul>		
Definition: "Natural wetland"	The NPSFM provides for the protection of the significant values of wetlands as an environmental bottom line (Ob A2). Similarly, the RPS identifies the loss and degradation of these critical ecosystems as a significant issue faced by the Wellington region (section 3.6 Issue 1). Protection provided for wetlands is often met with hostility due to concern that wetted pasture and similar areas will be classified as wetlands and subject to restriction. The definition of 'natural wetland', provided as a supplement to the RMA definition, provides clarity as to exactly what areas are intended to be captured and protected, helping to direct application of the subsequent provisions and to provide clarity and certainty to land owners.	Support	Retain
New Definition: "Mitigation"	The distinction between mitigation and offsetting often causes confusion. <sup>22</sup> Mitigation is the abatement (repair or lessening of) adverse effects of an activity, undertaken in direct response to and at the same location as that activity. In contrast, offsets do not respond to the adverse effects of the specific activity itself, but rather they are considered as positive effects offered by an applicant at an alternative location.	NA	Insert new definition as follows (or suitable equivalent):  <i>"Mitigation":</i>  <i>Mitigation is the abatement (repair or lessening of) adverse effects of an activity, undertaken in direct response to and at the same location as that activity.</i>
Section 3.6 Objectives – Biodiversity, aquatic ecosystem health and mahinga kai			
O28	Wetlands are unique ecosystems and are under serious threat. It is appropriate that what remains is	Support	Retain

<sup>22</sup> For a summary of case law, including this issue see *Biodiversity Offsets – The Latest on the Law* Anderson Lloyd, M Christenson & M Baker-Galloway, October 2013.  
EDS Submission on the proposed Wellington Natural Resources Plan 2015.

	protected, and at least maintained and preferably restored. This aligns with the environmental bottom lines in the NPSFM and with the RPS. It is notated that the PNRP has defined 'natural wetlands' to help direct protection, and avoid uncertainty in identification and classification.		
Section 3.7 Objectives – Sites with significant values			
O35	The protection of significant indigenous biodiversity is a matter of national importance, and a clear directive that is carried through the hierarchy of planning documents applicable to the PNRP.	Support	Retain
Section 4.4 Policies – Natural form and function			
P22	The PNRP recognises the importance of estuaries. As critical habitat for fish and other sea organisms it is important they are subject to robust protection in policy, especially given their inherent natural sensitivity. P22 is consistent with the avoidance framework in the NZCPS.	Support	Retain
Section 4.5 Policies – Biodiversity, aquatic ecosystem health and mahinga kai			
Section 4.5 generally	<p>Section 4.5 is generally supported (EDS has reservations relating to the interface with water quality and quantity issues).</p> <p>Section 4.5 helpfully identifies and addresses specific ecological elements/areas in order to provide tailored policy responses for these.</p> <p>The mitigation hierarchy is clearly set out, identifying when the use of biodiversity offsetting is available and at what stage off-setting “kicks in”. In particular, EDS supports the requirement that both mitigation and offsetting be subject to principle analysis (see P32, P41 PNRP). This helps to eliminate ad-hoc decision making and to ensure that the mitigation or offset offered will in fact achieve the outcome sought.</p>	Support	Retain (subject to reservations relating to the interface with water quality and quantity issues).



Section 4.6 Policies – Sites with significant values			
P40	<p>The PNRP specifically identifies areas with significant indigenous biodiversity and ecosystem values across the natural landscape. Protection of significant habitat and vegetation is a matter of national importance (s6 RMA). There are clear directives in both the NPSFM and NZCPS that specific significant areas are to be protected, and in specific situations restored. O16 RPS sets out protection and restoration of areas with significant indigenous biodiversity values as a regional goal. It is appropriate that the PNRP also provides for the protection and restoration of significant areas.</p>	Support	Retain
P41	<p>P41 expands on P40, setting out how protection is to be achieved. It applies the mitigation hierarchy, followed by the opportunity to offset residual effects. However, in some instances adverse effects should be avoided. The areas to which the policy applies have been identified specifically because of their significant biodiversity values. As noted above the protection of these values is a matter of national importance (s6 RMA, P24 RPS). The NZCPS provides a clear directive that in the coastal environment there are specific areas, species and habitats upon which adverse effects (and in others where significant adverse effects) are not allowed (P11 NZCPS). The PNRP should reflect this level of protection in its management of ecosystems and habitats with significant indigenous biodiversity values.</p> <p>P41 provides for the use of a precautionary approach to the assessment of adverse effects. Precautionary approach is a tool to be used by decision-makers when faced with a situation with high potential impact and inadequate</p>	Support in part	<p>Amend:</p> <p>Retain first paragraph.</p> <p>Delete second paragraph and insert following replacement:</p> <ul style="list-style-type: none"> <li><i>a. Avoided in the first instance;</i></li> <li><i>b. Where they cannot be avoided, they are remedied;</i></li> <li><i>c. Where they cannot be remedied, they are mitigated; and</i></li> <li><i>d. Where residual adverse effects remain, that cannot be mitigated they are offset.</i></li> </ul> <p>Amend following paragraph:</p> <p><i>Proposals for mitigation <del>and biodiversity offsets</del> will be assessed against the principles listed in <u>Part A Schedule G</u> and biodiversity offsets <u>will be assessed against the principles in Part B Schedule G.</u> A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</i></p> <p>Retain final paragraph.</p>

	<p>information. It may result in <i>inter alia</i> the decline of an application, the imposition of stringent conditions, or the adoption of an adaptive management approach. In the realm of biodiversity, in particular significant biological areas, it is appropriate this approach is taken given the paucity of information in many situations and the significant impacts (in the most extreme case extinction) that are a real risk<sup>23</sup>.</p> <p>P41 relies on the principles in Schedule G to assess both mitigation and off-setting proposals. EDS agrees with and supports a requirement that both mitigation and offsetting be subject to principled analysis. However, we consider that the principles for each should be separated, requiring much the same test be a clear distinction made based on the underlying goal of each response action. This is addressed in more depth below in response to Schedule G itself.</p>		
P42	<p>Connectedness of ecological corridors and buffers between significant areas are inflammatory activities are important to ensure protection of significant areas and positive outcomes. The cumulative loss of biodiversity is a direct result of incremental applications methodically either removing or degrading small areas. Specifically identifying and requiring decision makers to have particular regard to these points is a strong step towards achieving positive outcomes.</p>	Support	Retain
P43	<p>Restoration management plans provide some flexibility for private individuals and environmental groups to be creative in the protection strategy. However</p>	Support	Retain

<sup>23</sup> P3 NZCPS provides specifically for the precautionary approach in the coastal environment. The RPS also specifically provides for the use of a precautionary approach in this context in P47(f). The most recent case addressed the application of the precautionary approach and in particular the use of adaptive management is *Sustain our Sounds Inc v NZ King Salmon Co Ltd* [2014] NZSC 40; (2014) 17 ELRNZ 520.

	<p>whether these plans achieve good outcomes in practise depends on the quality of their constituent parts (in particular adequacy of proposed planting, ongoing management and monitoring). This will ultimately come down to the administering council.</p>		
Section 5.4 Rules – Land use			
R97	<p>The intrusion of stock into waterways has significant adverse effects on water quality and on the degradation of ecosystems and habitats in the rural environment. Specifically:</p> <ol style="list-style-type: none"> <li>Direct release of pathogens (such as E.coli) from the direct deposition of urine and faeces into waterways.</li> <li>Release of sediment from livestock disturbing and carrying soil into the waterway.</li> <li>Release of nutrients (nitrogen and phosphorous) the level of which can be released by direct deposition of effluent into or very near water.</li> <li>Damage to waterway banks and beds which damages or destroys habitat quality.</li> </ol> <p>The permitted standard in R97 is unacceptable because:</p> <ol style="list-style-type: none"> <li>Contrary to the environmental bottom lines in s5 RMA.</li> <li>Contrary to the environmental bottom lines in OA1 NPSFM.</li> <li>Contrary to the requirement upon the Council to be <u>satisfied</u> that none of the effects listed in subclauses (c)-(g) are <u>likely</u> to arise before a discharge of a contaminant is allowed to be a permitted activity.</li> </ol> <p>Stock exclusion is a key component of good management practise. Access to waterways should be the exception rather than the rule and should be subject to a resource</p>	Oppose	<p>Amend:</p> <p>Stock exclusion should be a baseline requirement. Exceptions should be considered as part of a resource consent application.</p>

	consent application		
Section 5.5 Rules – Wetlands and beds of lakes and rivers			
R105	Wetlands are in a state of decline nationally. They are extremely important ecosystems and also play a strong role in contaminant filtration. It is appropriate that what remains is not only protected but restored.	Support	Retain
R106	The restoration of wetlands is generally supported. However we are concerned that the type, frequency, density and timing of livestock access to the wetland is provided for as a matter of control (matter 7). The protection of the natural character of wetlands is a s6 RMA matter of national importance. The NPSFM specifically identifies protection of the significant values of wetlands as an environmental bottom line. Given the known adverse effects of stock it is critical that stock are excluded from wetland areas. This is equally the case in restored wetland areas. It would seem counter intuitive to promote and provide for the restoration of wetland areas while simultaneously providing for their degradation.	Support in part	Amend: Delete matter of control 7. Stock should not be allowed in wetland areas.
R107	As previously discussed wetland areas are of critical importance and under pressure. The NPSFM does not restricted protection of the significant values of wetlands to 'outstanding' wetlands or 'significant' wetlands. The significant values of all wetlands are protected. This reflects their severe decline and in EDS's view, indicates that all remaining wetlands are significant. As a result the PNRP should flag that the discharge of contaminants and the removal of vegetation (not carried out under a restoration management plan) is generally unacceptable and therefore be classified as non-complying.	Oppose in part.	Amend: Replace discretionary activity status with non-complying.
R110	See above.	Support	Retain

Schedule G Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity

<p>Schedule G generally</p>	<p>EDS supports the requirement that both mitigation and offsetting be subject to principle analysis (see P32, P41 PNRP). This helps to eliminate ad hoc decision making and to ensure that the mitigation or offset- related decision-making has regard to key matters relevant to ecological exchanges and the need for long term outcomes. However, as noted above distinguishing between mitigation and offsets often causes confusion. This confusion is compounded by addressed the two concepts in combination as in Schedule G (for example it is not clear in the schedule that mitigation planting would occur on-site with a goal of lessening the direct adverse effects of the activity, not offsite as is the case with an offset). As a result, EDS considers that a clear distinction needs to be made between the principles relating to mitigation and those to offsets. The principles applicable to each would consist of much the same test with a clear distinction base on the goal of each response action. It is critical that the same principles (no-net-loss aside) apply to mitigation as to offsetting in order to ensure a principled exchange and to avoid the perverse consequences inherent in an unregulated 'anything goes' mitigation-plan pathway.</p>	<p>Support in part</p>	<p>Amend to include a clear distinction between mitigation and offsets based on the goal of each response action, for example, through dividing Schedule G into Part A Mitigation and Part B Biodiversity Offsets, or alternatively, including a new schedule.</p>
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Proposed Natural Resources Plan:

Submitter:

**Yvonne Fletcher**

Submitter Number:

**S111**



FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

Wellington Regional Council  
25 SEP 2015

NAME/ORGANISATION

YVONNE FLETCHER

NUMBER STREET NAME

12 TO ENGA ROAD

SUBURB/TOWN

PUKERUA BAY

POSTCODE

5026

PHONE

02108146373

EMAIL

yvonne1612@icloud.com

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email

The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is: Environment and Water Quality  
Please specify the provision/section number: 6

My submission on this provision is:

- I support the provision
- I oppose the provision
- I wish to have the specific provision amended

Reasons for my submission: No mention of weed control, specifically gorse and blackberry present on public and private land across the Wghn region. This includes QEII Park and Te Ara Harakeke (both GWRC) and the Hutt River park areas. Enhance co-operation with other responsible entities.

I seek the following decision from WRC (give precise details): that land under the Stewardship of GWRC has an advised plan for gorse/blackberry control and removal and that greater action is taken sooner before more land is lost to these two invasive pests

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission at hearings  
Note: This means that you wish to speak in support of your submission at the hearing(s)
- I/We do not wish to be heard in support of my/our submission. Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Trade competition

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]

I/we could not gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission

I/we am/am not directly affected by an effect of the subject matter of my submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Publication of details

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: Yvonne Fletcher Date: 25/9/2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

Post your submission to:

Freeport 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142





## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Friends of the Paekakariki Streams**

Submitter Number:

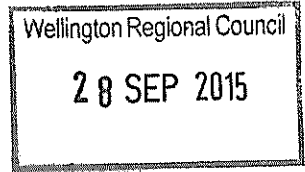
**S112**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

#152669



**Your details**

Full name: Florence McNeill

Organisation name: Friends of the Paekākāriki Streams  
 (If applicable)

Address for Service: 137 Tilley Road, Paekākāriki 5034

Telephone no's: Work: \_\_\_\_\_ Home: 04 904 2622 Cell: 021 139 3581

Contact person: Flo McNeill

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: florencemcneill@gmail.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission — *Please see attached document*

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_



Date: 25<sup>th</sup> September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	





# The Friends of the Paekākāriki Streams

Greater Wellington Natural Resources Plan Submission 25th September 2015

The Friends of the Paekākāriki Streams have for nearly 2 years been working to improve our local streams and have been seemingly thwarted at every turn. From an ecological perspective, there are failures in the consenting process to protect habitat and vulnerable species, and a failure in the ability to implement some good council plans. The well intentioned documents fail to have any real beneficial effect on the ground, additionally the resulting damage of activities is seriously impacting on our stream ecosystem health. Continuation of this, we believe, will ultimately lead to the collapse of this precious ecosystem. With the latest research stats showing 74% of our country's indigenous fish species are threatened, this needs to be taken seriously, and given priority.

Issues we have experienced just within the past 18 months:

1. **We have been blocked from accessing riparian margins.** Despite our repeated approaches to the landowner (NZTA), and the district council negotiating on our behalf, we are denied access for re-establishing native forest cover so essential to stream health. We have been told by the landowner, that there is no requirement to reserve or protect riparian margins, and therefore they won't allow it.
2. **Illegal, and highly damaging dredging** has been carried out by one government agency (KiwiRail), on land belonging to another government agency (NZTA). We are not even dealing with rogue independent property owners here, the level of disregard for the importance of our streams is disturbing, and needs to be addressed at its core. Protections need to be in place that clearly communicate they are not open to be abused.
3. **Cattle, sheep, and horses having access to the stream**, and immediately near the stream. Even newly installed fencing allows stock to graze (and relieve themselves) within centimeters of the stream. The fence was installed so close to the stream that it is in places directly on the line of the bank.
4. **Fish passage barriers.** It is acknowledged in the council's own documents that the fish passage barriers currently in place are not permitted by today's regulation standards, yet due to their age, there is no obligation to remove them. How can something that is clearly identified as 'wrong' then be 'okayed' by another 'clause that ignores all evidence to the contrary? The end result is that our fish populations are dying out, or diminishing.
5. **Toxic discharge released into the stream**, as a result of stormwater pipe relining works. This Cured In Place Pipe (CIPP) product, and method was somehow approved with little knowledge of the chemical profile of this material, nor of the lasting impacts of long term leaching into the waterways. The styrene off-gassing was significant and 2 months later, is still on-going, as is visible water contamination. We not only question the oversight into how this was implemented, but that it should have ever been approved in the first place. The burden of proof of product safety should be on those contracting the work, not the community.
6. As a condition of the Resource Consent **fish are to be relocated** 'temporarily' (for up to several years) to another tributary during the prolonged works for Transmission Gully. These are to be moved into an area which is reported to have a minimal or nonexistent fish population due, in large part, to identified fish passage barriers. The issue could be debated for many complex reasons, however the main point here is that even requirements to protect a range of species as required for Resource Consent approval, are badly lacking and ill thought out. It is promised that the fish passage barrier will be removed at a later date, however plans for this have not been



devised, nor approved, and yet the fish transfer is long since permitted. The fish passage barrier removal is not tied to the RC conditions around fish protection.

7. Currently consideration of **works affecting the stream's health is approached in a manner that allows the stream to be 'chopped' into sections and viewed as disconnected pieces.** A stream ONLY functions as a continuous ecosystem, with all sections contributing to the survival and thriving of its populations and overall health. Currently the same landowner that is required to protect species upstream, is in no way obliged to follow this through lower down the stream. Their consent should require them to have a consistent approach to the stream, and to have a protection plan in place for the entire length of stream (and all its tributaries) crossing land that they own or otherwise control. Without this consistency, much of the protections required for a given RC can be wiped out by other activities as we have experienced this year. The RC process is reduced to a box ticking exercise with little resulting benefits for the eco-system for which it was designed to protect.
8. **We currently see a marked increase of sediment discharge coming down the Te Puka tributary from the Transmission Gully site.** This was investigated by GWRC's pollution response team. They were assured by the Leighton Heb representatives that this was not the result of any works. What are we to believe? We are not permitted to go up there to check for ourselves, and yet we see the results very clearly downstream. Sediment doesn't just appear magically like fairy dust, something is definitely causing this. There is a disconnect between the rules and box ticking, and the results we see adversely affecting our streams.
9. **Systemic problems.** Activity as basic as clearing of weeds covering the stream, is problematic in that it has all been allowed to wash downstream, causing great piles and blockages for hundreds of meters. The damage and disregard is occurring on so many levels, it's not accidental, it's a systemic problem, it's a cavalier attitude to water that is allowed to proliferate in the absence of clear, legally binding, and enforceable regulation.

There is the lack of linkage between objectives around protecting Wainui Catchment Stream's significant indigenous fauna (listed in Schedule F for rivers and streams) to any direct policies or rules in the plan to protect these rivers and streams from sediment discharges (and stormwater discharges too!)

Activities in catchments identified as significant cannot be allowed as permitted activities by the plan, but should instead be discretionary activities, requiring consent, so that the effects on these ecosystems can be taken into account on a case by case basis and the community (including groups like the friends) can have input into how consent conditions will address monitoring and any adverse effects on the life of the stream.

The regional council, under section 70 (1)(g) of the Resource Management Act, cannot have a rule in a plan which permits a discharge (of stormwater, sediment or any other contaminants) that has (g) "any significant adverse effects on aquatic life."

Sediment is well known to cause significant adverse effects and this issue is particularly relevant to the Wainui Catchment Streams and it's tributaries because of the indigenous fish and macroinvertebrate life there.

**We want the following included in the Plan:**



1) That any discharge of sediment or stormwater to the Wainui Catchment Streams (and other significant streams in the Region listed in Schedule F) is a discretionary activity (not permitted through rules in the Plan as it is currently proposed);

2) We support that the Wainui Catchment Streams be listed in Schedule F as having "high macroinvertebrate community health".

3) That The Friends are included as members of the Kapiti Coast Whaitua Committee.

4) **Riparian protection** and setbacks.

Strict controls for all activities such as subdivision, earthworks, earth disturbance, vegetation clearance, flood works should be discretionary. Furthermore, we want meaningful consultation with the Friends and local community.

5) Encourage landowners to restore margins with stable indigenous vegetation wherever possible.

### **We support**

Objectives: 1, 3, 4, 5, 15, 17, 18, 21, 22, 23, 24, 26, 27, 28, 29, 31, 32, 35, 42, 44, 45, 46, 47, 48, 49, 50, 51, 58,

Policies: 1, 3, 4, 5, 8, 10, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 48, 52, 60, 63, 65, 67, 68, 70, 73, 84, 85, 96, 97, 98, 99, 100, 101, 103, 106, 107, 108, 150, 151,

Rules: 41, 111

Methods: 12, 14, 15, 20, 21, 28,

**Object to rule 36.** Spraying of agrichemicals should not be a permitted activity where it can enter water. Change to discretionary.

Rule 37 Change to discretionary

Rules 39 & 40 Change discretionary

Rule 50 Change to discretionary

Rule 82 Change to discretionary

Rule 97 Change to discretionary

Rule 99 Change to discretionary

Rule 100 Change to discretionary

Rule 102 Change to discretionary

Rule 121 Change to discretionary

We object to rules that give permitted activities status for sediment and stormwater discharge to the Wainui Catchment Streams. This should be discretionary.

Something is amiss when just in the last 18 months, so many permitted, consented and illegal discharges and activities have affected the stream life and the community who care about the stream. We have heard at every turn that due to a lack of legal obligation, damaging practices will continue, and no exceptions will be made to support us rehabilitating this significantly valuable stream ecosystem. We need robust regulations that mean landowners, responsible parties, and other contractors are compelled to act responsibly and with respect to our natural resources.

Thank you for the opportunity to submit on this Plan, we wish to speak at the submissions hearing.

Flo McNeill

On behalf of The Friends of the Paekākāriki Streams

Florence McNeill

137 Tilley Road, Paekākāriki 5034

M: 021 139 3581 E: florencemcneill@gmail.com





Illegal dredging May 2015. Carried out in the name of "drain clearing".



New fence placed so close to the stream it's nearly falling into it. July 2015







Stock in Wainui Stream mid 2015.



Sedimentation in Te Puka Stream (Wainui Stream tributary) from Transmission Gully. August 2015





Pictures 1 & 2 showing results of the district council's stormwater upgrade Toxic spill July 2015



Proposed Natural Resources Plan:

Submitter:

**Michael Slater**

Submitter Number:

**S113**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

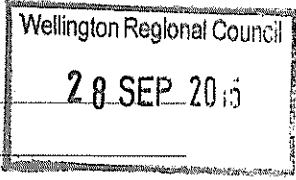
To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

**Your details**

Full name: Michael John Slater

Organisation name (if applicable): \_\_\_\_\_

Address for service: 24A Huperui Road Greytown



Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0274-845257

Contact person: Mike

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: mikeslater257@hotmail.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to "Your submission"]

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) – an excel spreadsheet of all of the proposed plan provisions is available online [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
<u>R94 &amp; R95</u>	Reasons for my submission: →	This rule will not achieve anything by protecting waterways. Most waterways have built up banks next to them to prevent runoff by way of cleanings.
I seek the following decision from WRC (give precise details): →		This rule needs to be removed!



<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):  <u>R100</u>.....</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>If a large property wants to remove vegetation of up to or over 2ha/property/year then they have the right to 2ha isint finincily <del>of</del> viable for the landowner.</p>
	<p>I seek the following decision from WRC (give precise details):  →</p>	<p>This rule needs to be removed.  How is this a issiye?  Do we see Hundreds of acres done / property / year?  NO</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):  <u>R115</u>.....</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>Culvert pipes should not have restrictions on them. There requiremants should be case by case.  How are culvert size restrictions helping the environment?</p>
	<p>I seek the following decision from WRC (give precise details):  →</p>	<p>This rule needs to be removed.</p>

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>R121 ..... <i>A</i>  <i>G J 1 &amp; 11</i>  <i>L</i></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p><i>prohibiting the</i>  <i>How is deepening or widening drains helping the environment?</i>  <i>They are there for a reason &amp; it changes over time, require more than maintenance. Such as deepening here &amp; there to improve water flow &amp; drainage then this should be done.</i></p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p><i>This Rule needs to be removed</i></p>

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>R90 .....</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p><i>Silage walls with impermeable liners won't work. Refer to how silage is made &amp; the processes involved with it. If concrete bunkers were used then the run-off would just go to where it would find drainage. It defeats the purpose for what reason but cost.</i></p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p><i>This Rule needs to be removed.</i></p>

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**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

*MJ Stata*

Date: \_\_\_\_\_

*23/9/15*

[Person making submission or person authorised to sign  
on behalf of person making submission. NB. Not required if making an  
electronic submission]

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**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including **your name and address for service** as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

**Your details**

Full name: Mike Slater

Organisation name (if applicable): \_\_\_\_\_

Address for service: 24 A Hupenai Road Greytown

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0274845257

Contact person: Mike

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: mikeslater257@hotmail.com

**Trade competition**

I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

**Your submission**

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

Please continue on separate sheet(s) – an excel spreadsheet of all of the proposed plan provisions is available online [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): <u>R89</u>	My submission on this provision is: →  	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
_____ _____ _____	Reasons for my submission: →  	What's the difference, whether there's dirt between a oil hole & a farm dump or not? Why can't we burn in farm dumps?
_____ _____ _____	I seek the following decision from WRC (give precise details): →  	How is it affecting the environment if there's a fire on top of the ground or in a farm dump? None.

*This rule needs to be removed.*

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><u>R70</u>      F                     G</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>If there's more room to dispose of clean fill than 100m<sup>3</sup> then this should be allowed.  Why do we need caps?  Volumes and origins of fill to be recorded will be impossible, inaccurate, unwarranted and for what good?</p>
	<p>I seek the following decision from WRC (give precise details):  →</p>	<p>This rule needs to be removed.</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><u>R122</u>      K1                     K2</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>When removing vegetation along 200m then 10m has to be left just adds further costs to projects that are expensive already.  What good is leaving 10m?  Whats achieved?  Money will get wasted on coming back @ a later time just for 10m.  We can't afford this.</p>
	<p>I seek the following decision from WRC (give precise details):  →</p>	<p>This rule needs to be removed.</p>

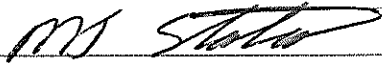
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>R 136 F 137 G</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>Why waste time with water meters on surface water takes of 2.5L/s. Its natural water that we are using efficiently.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>This rule needs to be removed.</p>
<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):</p> <p>.....?</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: : →</p>	<p>Compost Limit of 150kg N/year we put more than this on pasture. Its far to low.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>This needs to be removed as oversea takes this sort of thing into consideration.</p>

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**Attendance and wish to be heard at hearing(s)**

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[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

  
[Person making submission or person authorised to sign  
on behalf of person making submission. NB. Not required if making an  
electronic submission]

Date: \_\_\_\_\_

23/9/15.

---

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#1530998

~~1530998~~

**SUBMISSION on the proposed Natural Resources Plan for the Wellington Region**

To: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz) OR Freepost 3156, GWRC, PO Box 11646, Wellington 6142

Name	Mike Slater	GREATER WELLINGTON REGIONAL COUNCIL 23 OCT 2015
Farm Name	Huapui e Otahuna	RECEIVED
Physical Address	24A Huapui Road Greytown	
Phone Number	0274845257	
Email Address	mikeslater257@hotmail.com	

Communication from GWRC: I prefer email OR hardmail – choose one

Trade competition: I could not gain an advantage in trade competition through the submission ✓

Hearing: I wish to be heard and would consider jointly appearing with other submitters Yes

Support: I support Wairarapa Federated Farmers submission *MS Slater*

**INTRODUCTION – Key Points about farm/business**

Farm Type	e.g. (Sheep, Beef, Arable, Dairy, agricultural business)
Farm size (area)	11.7 hectares
Main Waterways	Mahanui Stream
GW Soil plan or Farm Plan	Yes No
Environmental investments	
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so



## STOCK EXCLUSION

### Specific Provisions that my submission relates to are:

Definition of Category Two waterbodies, including water races and drains > 1 metre

Schedule I and Map 22: important trout spawning habitat

Rule 97: access to the beds of surface waterbodies by livestock

- Stock exclusion from Category One waterbodies by July 2018
- Stock exclusion from Category Two waterbodies by July 2022
- Stock access to Category Three waterbodies – permitted subject to conditions, e.g. crossings

### My submission is: ~~support~~/oppose

### I seek the following changes:

Extend the timeframes, e.g. Category One by 2020, Category Two by 2025

Exclude sheep from Category One

Exclude water races and drains from Category Two

Delete requirement for dairy cow exclusion from hill country rivers > 1 metre

Specify that stock exclusion from spawning sites – inanga or trout – is during the spawning season.

Specify criteria for “important” trout spawning rivers; delete those that don’t meet the criteria

Amend the definitions of stock crossing to match hill country practicalities and effects

Allow for stock drinking points

Ensure that alternative stock water supplies are available and rules don’t apply until they are.

### **Stock Exclusion Comments and Reasons**

*Specific to your farm, e.g. discussion on costs, practicalities, stock water; attach/include photos  
For Category One sites, would it be reasonable to exclude sheep where there is agreement between landowner, council and iwi as part of Council funded management plan?*

## **WETLANDS**

### **Specific Provisions that my submission relates to are:**

Interpretation: definition of natural wetland and significant natural wetlands

Schedule F3: significant wetlands

Rule 105: Planting in wetlands - approved native plants only

Rule 106: Restoration of natural or significant wetlands – controlled if Wetland Management Plan

Rule 107: Activities in natural or significant wetlands – discretionary

Rule 108: Activities in wetlands - non-complying, including diversion of water into a natural wetland

**My submission is: ~~support~~/oppose**

### **I seek the following changes:**

Natural wetlands: Natural wetlands: amend to exclude intermittent and ephemeral water bodies, and clarify these do not include hill country seeps or paddocks subject to regular ponding, dominated by cultivated pasture, whether or not associated with sedge, raupo or rush species.

Significant wetlands: re-prioritise to focus efforts on the highest value sites; change minimum size from 0.1ha to 1.0ha

Rule 104: allow use of machines rather than just hand held

Rule 105: allow for planting introduced species for bees or ducks

Rule 106, 107: amend to provide for restoration or enhancement of wetlands to be a permitted activity, with plans prepared as a non-regulatory partnership.

Rule 108: Allow diversion of water as part of a restoration plan

### ***Wetlands Comments and Reasons***

*e.g. If you have been advised of a significant wetland on your farm – and you question it – state the name of the wetland and your reasoning (size, condition, man-made, etc)*

*Mention if you have an interest in constructing or extending wetlands.*

## FARM EFFLUENT

### Specific Provisions that my submission relates to are:

Rule 83: Discharge of collected animal effluent to land – controlled

Rule 93: effluent to land in supply protection area – discretionary

Map 27: groundwater community drinking water supply protection areas

**My submission is: support/oppose**

### I seek the following changes:

Undertake more rigorous regional cost-benefit analysis of pond storage and sealing requirements prior to the hearing to support proper consideration by the Hearing Commissioners.

Provide reasonable timeframes and a stepped approach for the installation of storage (e.g. 3-5 years)

Clarify the definition of ponding; and exclude extreme weather events, breakdowns occurring out of manager's control, be consistent with urban conditions.

In groundwater protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

Extend the consent timeframe to 20 years to reflect the investment made

### **Effluent Comment and Reasons**

*e.g. are they over-estimating the risks and under-estimating the costs?*

*If you already have ponds, is it reasonable to up the ante on storage and sealing?*

## SILAGE

### Specific Provisions that my submission relates to are:

Definition: a fermented high moisture stored fodder

Rule R90: manufacture and storage of silage and compost, including

- Condition a) the manufacture and storage area shall not be located within 20m of a surface water body ( stream, drain, water race and intermittently flowing streams)
- Condition d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water

**My submission is: ~~support~~/oppose**

### I seek the following changes:

Delete the requirement for impermeable lining; retain the condition that there be no discharge to water

Delete the requirement for location not allowed within 20m of a surface water body (not needed due to no discharge condition above)

Change the definition to specify this does not include baleage

### **Silage Comments and Reasons**

*e.g. low risk from wilted silage; costs for impermeable lining – estimate the costs if you can  
Cost Benefit analysis has not included any clear evidence of the benefits outweighing the costs.  
Difficulty in dealing with surplus years – filled up the main stack but still have extra. This rule will make us turn to baleage that is twice as expensive and has the plastic disposal issues.*

## CULTIVATION & BREAKFEEDING

Specific Provisions that my submission relates to are:

Rule 94: Cultivation & Rule 95: Break feeding

- Cultivation/ break feeding shall not occur within 5m of a surface waterbody, including open drains and water races

My submission is: ~~support~~/oppose

I seek the following changes:

Delete the conditions requiring 5m setbacks

### Cultivation/Breakfeeding Comments and Reasons

*e.g. costs, practicalities, timing, lay of the land*

*Add a statement in about what you normally do when cultivating or breakfeeding*

## DRAIN CLEANING

### Specific Provisions that my submission relates to are:

Definition of highly modified watercourse:

- Modified and channeled to the extent it has the characteristics of a drain, including that: the channel is a single flow, straight, no curves, mechanically formed with straight or steep banks, maintained to keep the watertable at least 0.3m below the pasture root zone, and it exhibits these characteristics for the entire length of the property

Rule 121: Maintenance of drains and highly modified streams; *and*

Rule 122: Removing vegetation from the bed of any river; *same conditions for both*

- any fish shall be returned no later than one hour
- only one side shall be cleared at any one time, and the other side three months later; or, only the middle shall be cleared, leaving no less than 0.3m each side
  - for drains and highly modified streams, this condition applies from July 2017

Method M14: Maintenance of drains

- GWRC will develop an education programme in collaboration with industry and other stakeholders to support implementation of Rule 121

**My submission is: ~~support~~/oppose**

**I seek the following changes:**

Change the definition of highly modified stream to include all streams that have been modified by human activity – straightening, deepening, channeling.

Provide high resolution maps in the plan, clearly showing drains and highly modified streams that are covered by Rule 121. This is required before the hearing to see the scale of the issue.

Provide direction to landowners about the type of waterways on their land.

Fast-forward Method 14 to develop agreed good practice for drain cleaning to inform the Hearing Commissioners consideration of the proposed rules.

Extend the timeframe for the implementation of the new conditions from 2017 to 2020

### ***Drain Cleaning Comments and Reasons***

*e.g. costs, practicalities, historical modification not recognized*

## **EARTHWORKS**

### **Specific Provisions that my submission relates to are:**

Definition of earthworks

Rule R99: earthworks of a contiguous area up to 3000m<sup>2</sup> per property per 12 months – permitted

Rule 101: earthworks that doesn't meet permitted conditions - discretionary

**My submission is: support/oppose**

### **I seek the following changes:**

Amend the definition and Rule 99 to allow construction of farm tracks as a permitted activity, as well as maintenance.

Change Rule 101 to controlled or restricted discretionary with clear conditions

### **Earthworks comments and reasons**

*e.g. operational and farm safety aspects*

*Note the word "contiguous" is important in thinking about impact*

## **VEGETATION CLEARANCE on Erosion-Prone Land**

### **Specific Provisions that my submission relates to are:**

Definition of erosion-prone: slope >20 degrees

Definition of vegetation clearance: clearance of woody vegetation (exotic or native) by mechanical or chemical means including felling, spraying by hand or aerial means, hand clearance and burning

Rule R100: vegetation clearance on erosion-prone land

- contiguous area up to 2ha per property per 12 months– permitted

Rule 101: vegetation clearance that doesn't meet permitted conditions - discretionary

**My submission is: ~~support~~/oppose**

### **I seek the following changes:**

Change definition of erosion prone to increase the slope, and exclude stable substrate, e.g. greywacke

Change definition of vegetation clearance to exclude hand clearance, hand or aerial spraying and roller crushing

Change Rule 101 to controlled or restricted discretionary with clear conditions

### **Vegetation Clearance comments and reasons**

*e.g. confusion with different slope triggers.*

*Add a statement in about what you normally do, e.g. leave an area unsprayed*

*Note the word "contiguous" is important in thinking about impact*



## CULVERTS & BRIDGES

### Specific Provisions that my submission relates to are:

Rule R114: weirs, fords, small bridges – permitted if

- not >20m<sup>2</sup> in size / footprint
- catchment not >50ha west of the Ruamahanga, 200ha east of the Ruamahanga

Rule R115: culverts – permitted if

- not >20m length and not >0.3m-1.2m diameter

Rule 125: small river crossings, dams, structures in a mana whenua site – restricted discretionary

**My submission is: ~~support~~/oppose**

### I seek the following changes:

Rule R114: Change the 50ha catchment restriction to 200ha (or clarify rationale for the difference)

- Increase the size for fords and bridges (20m<sup>2</sup> too small)

Rule R115: delete the condition restricting culvert diameter; retain condition that the culvert be constructed to allow for 20 year flood event.

- Provide advice to landowner of appropriate culvert sizes to achieve the above condition

Mana whenua sites: undertake proper assessment of restrictions proposed for mana whenua sites within the plan itself – not leaving this to a consent process at landowner cost

#### **Culverts/Bridges comments and reasons**

*e.g. fords/crossings good alternative method to constructing structures especially where use is infrequent or risks of structure outweigh the impact of a ford.*

*Should not include Floodways as it doesn't meet the destination.*

## OFFAL PITS, FARM REFUSE DUMPS

Specific Provisions that my submission relates to are:

Rule 89: Farm Refuse Dumps – 15 conditions

Rule 91: Offal Pit – 9 conditions

My submission is: ~~support~~/oppose

I seek the following changes:

Rule 89: Farm Refuse Dumps

- increase size from 50m<sup>3</sup> to 100m<sup>3</sup>
- heavily prune the fourteen other conditions to focus on clear effects

Rule 91: Offal Pits

- retain condition a) re only containing dead matter from the property; and condition h) odour is not offensive beyond the boundary
- heavily prune the other seven conditions to focus on effects

### Offal Pits/Refuse Dumps Comments and Reasons

*e.g. these are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.*

## AGRI-CHEMICALS

### Specific Provisions that my submission relates to are:

Rule 36: Agrichemicals – permitted activity conditions relating to aerial and vehicle based spraying

- (e) no discharge within a community drinking water supply protection area
- (g) spray plan must be prepared once pa
  - identify sensitive areas (dwelling house, schools, amenity areas, non-target crops sensitive to agchem, organically certified properties, surface water bodies including natural wetlands and associated riparian vegetation, and significant and outstanding water bodies)
  - notify neighbours the spray plan is available on request
  - get written agreement from adjoining neighbours that notification is not required
  - supply a copy of the spray plan at least 24 hours prior to application, to the owner/occupier of sensitive areas or likely to be directly affected, or requests a copy

**My submission is: ~~support~~/oppose**

### I seek the following changes:

Change condition g) to more reasonably reflect practicalities and risks

In water supply protection areas, undertake a risk analysis prior to the hearing to support appropriate conditions being established in a controlled rule, rather than discretionary.

#### **Agri-chemicals Comments and Reasons**

*e.g. provides a level of protection that is not associated with the risk, demands undue notification requirements when neighbours might not be affected*

## FERTILISER

### Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer – permitted activity, provided

Condition a) not into or onto a surface water body or beyond the boundary, including as a result of wind drift

**My submission is: ~~support~~/oppose**

**I seek the following changes:**

Amend condition a) to reflect the practicalities of aerial fertiliser application

#### **Fertiliser Application Comments and Reasons**

*e.g. It is impossible to miss all intermittent surface waterbodies when using a plane or helicopter. Technology is being developed to allow this but it is not commercially available. Condition a) will cause a health and safety risk to the operation of aerial fertilizer application.*

## STORM WATER

### Specific Provisions that my submission relates to are:

Rule R48: storm water from individual property permitted, except

- the discharge is not into an outstanding waterbody (e.g. Lake Wairarapa)
- concentration of total suspended solids does not exceed specified concentrations
  - 50g - 100g/m<sup>3</sup> or 20-33% change depending on "significance" of site

**My submission is: support/oppose**

### I seek the following changes:

Rule R48: delete condition (a): no discharge into outstanding waterbodies

Delete condition (e) specifying suspended solid concentrations, retain condition (g) requiring no conspicuous films, scum, floatables etc

### Stormwater comments and reasons

*e.g. impracticality, costs, low risk. Would it require a consultants report to get consent?*

**Any other areas of concern – just copy format above**

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 Clause 6 of Schedule 1, Resource Management Act 1991



greater WELLINGTON  
 REGIONAL COUNCIL  
 Te Pane Matua Takao

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name:

*Michael John Slater*

Organisation name:  
 (if applicable)

Address for Service:

*24A Hupewai Road Greytown*

Telephone no's:

Work: *06*

Home: *063049467*

Cell: *0274845257*

Contact person:

*Mike Slater*

Address and telephone no (if different from above):

**Electronic communication**

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Email address:

*mikeslater257@hotmail.com*

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): <u>Whole Plan</u>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	I support the submission of the Wairarapa Water Users Society Inc as a member of that organisation.
	I seek the following decision from WRC (give precise details): →	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	


If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

I/We do wish to be heard in support of my/our submission.  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission.  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Signature:**  **Date:** 13/10/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

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#1530376

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

RECEIVED  
REGISTRATION CONTROL

**Your details**

21 OCT 2015

Full name: Leo Vollebregt

RECEIVED

Organisation name (if applicable): Wairarapa Water User's Inc. Society

4.10 PM

Address for service: Leo Vollebregt

235 Pahautea Road, RD1,

Featherston

Telephone no's: Work: 063088405 Home: 063088405 Cell: 0272588405

Contact person: Leo Vollebregt

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: lvoll@xtra.co.nz

**Trade competition**

**yes** I/we could not gain an advantage in trade competition through this submission [if you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Please continue on separate sheet(s) - an excel spreadsheet of all of the proposed plan provisions is available online [www.ew.govt.nz/regional-plan-review](http://www.ew.govt.nz/regional-plan-review)

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  .....	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: : →	our submission is attached to this details form
	I seek the following decision from WRC (give precise details): →	




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Attendance and wish to be heard at hearing(s)

- YES** I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

  
[Person making submission or person authorised to sign  
on behalf of person making submission. NB. Not required if making an  
electronic submission]

Date: 20/10/2015

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Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Wairarapa Water User's Inc. Society,  
c/- Leo Vollebregt,  
235 Pahautea Road,  
RD1,  
Featherston.

Wellington Regional Council  
Wellington

21<sup>st</sup> October 2015

Dear Sir/Madam

Please find enclosed our submission on the Proposed Natural Resources Plan for the Greater Wellington Region.

This replaces the interim submission we put in before the 25<sup>th</sup> of September.

Also enclosed are the submissions of 49 of our members some of whom have added extra comments.

Our society and it's members were granted an extension of the submission deadline to the 23<sup>rd</sup> of October 2015.

Yours sincerely



Leo Vollebregt

Chairman

List of submitters;

Wairarapa Water User's Inc. Society

Graeme Tulloch

Peter Vollebregt

Willy and Sally Bosch

Bernard George

Jim Hedley

Richard and Carolyn Stevenson

Andrew Patrick

Gary and Ann Daysh

A and A Webster	Chris Engel
Sandra Shivas	Andrew Harvey
Shane Gray	John Barton
George Ritchie	Mike Warren
Stephen Hammond	Mike Moran
Gerard Vollebregt	Simon Campbell
Bryan Tucker	Matt Honeysett
Rod Sutherland	David Holmes
Bob Tosswill	Mike Slater
Richard Kershaw	Ray Craig
Shaun Rose	Mark Guscott
Willem Stolte	Ed Handyside
Richard Osborne	Brad Gooding
Blair Roberts	Daniel George
Hayden Thurston	Neville Davies
Brian Bosch	Gary Svenson
Stewart Weatherstone	Ann Gray
Owen Butcher	Sandy Bidwill
Donald McCreary	Lewis Herrick
Leo and Rebecca Vollebregt	John Petrie
Kurt Simmonds	

**Wairarapa Water User's Inc. Society**

**Submission on the**

**Proposed Natural Resources Plan**

<u>Provision</u>	<u>Text</u>	<u>Support/ Oppose/ Amend</u>	<u>Reasons</u>	<u>Relief sought</u>
<u>Definitions</u>	<p>Groundwater directly connected to surface water at the locations generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Taking water from <b>Category A groundwater</b> is considered to be surface water allocation.</p>	amend	<p>The categorisation of groundwater needs clarification in the definitions. The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt. Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p>Ground water will be categorised A or B or C once GW has field verified its connectivity with surface water and performed an empirical calibration of the model</p>
<p><b>Category A groundwater</b></p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being directly connected to surface water through applying the tests in Schedule Q (efficient use). <b>Category B groundwater (directly connected)</b> is at the locations generally described in Tables 7.3 and 7.4 in chapter 7, Table 8.2 chapter 8 and Table 10.2 in chapter 10. Taking water from <b>category B groundwater (directly connected)</b> is considered to be surface water allocation.</p>		<p>The definitions of Category A, B and C groundwater need to be robust, and a mechanism or process must be provided for identifying which Category aquifer a particular abstraction may be tapping. Since any conditions must be related to the 'effects', it would seem that Category A (i.e. direct connection) should be able to demonstrate a strong and consistent relationship between daily river levels and daily groundwater levels. If not then conditions linked to low flows will have no relevance. There should also be a clear and quantifiable difference between Category A &amp; B. at present the 'management approach' appears to be the same even though the two aquifers are demonstrably different in their response to river levels.</p>	
<p><b>Category B groundwater (not directly connected)</b></p>	<p>Groundwater not classified as either category A groundwater or category C groundwater and which is defined as being not directly connected to surface water through applying the tests in Schedule Q (efficient use). <b>Category B groundwater (not directly connected)</b> is at the locations generally described in Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10. Taking water from <b>category B groundwater (not directly connected)</b> is considered to be groundwater allocation.</p>		<p>In February 2015 work undertaken in the river bed by the Waihenga river level recorder interfered with readings so that consent holders unknowingly resumed taking water even though the river had reached minimum flow. Observers working by the river reported no adverse</p>	
<p><b>Category C groundwater</b></p>	<p>Groundwater not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7.</p>			

	<p>Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10. Taking water from category C groundwater is considered to be groundwater allocation.</p>		<p>effects to this take at low flows indicating poor relation of the takes to the river.</p>	
<p>groundwater directly connected to surface water regionally significant infrastructure*</p>	<p>Category A groundwater and the component of category B groundwater that is directly connected to surface water and part of the surface water allocation amount.</p> <ul style="list-style-type: none"> <li>the local authority wastewater and stormwater networks, systems and wastewater treatment plants</li> </ul>	<p>amend</p>	<p>There is no definition of what directly connected means.</p> <p>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Ground water in the bore is at the same level as the water in the river and moves up and down with the level of the river</p> <p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</p>
<p>In used water</p>	<p>Where more than 25% of the maximum daily amount of water allocated to a person for use on a property they own or have an interest in, but not including water that is transferred for use at another location by means of a transfer permit, is demonstrated to not be used over a period of two consecutive years.</p>	<p>support</p>		<p>retain</p>
<p>Objective O8</p>	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>amend</p>	<p>Objective does not give enough value to the use and potential use of water.</p>	<p>the social, agricultural, industrial, cultural and environmental benefits of taking and using water for current uses and also for future needs are recognised and provided for within the Plan's allocation framework"</p>
<p>Objective O25 (c)</p>	<p>To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is</p>	<p>Oppose</p>	<p>Objective (c) aims to meet certain standards -this objective should not be giving guidance to the Whaitua before current water quality levels are known</p>	<p>Remove</p>

<p>able 3.6 roundwater irectly connected o surface water</p>	<p>improved over time to meet that objective.  Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies</p>	<p>amend</p>	<p>Unrealistic and non defined The actual numerical amount needs to be stated</p>	<p><u>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</u></p>
<p>Objective O52</p>	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <ul style="list-style-type: none"> <li>(a) efficient infrastructure, and</li> <li>(b) <b>good management practice</b>, including irrigation, domestic municipal and industry practices, and</li> <li>(c) maximising reuse, recovery and recycling of water and contaminants, and</li> <li>(d) enabling water to be transferred between users, and</li> <li>(e) enabling water storage outside river beds.</li> </ul>	<p>amend</p>	<p>Increasing water allocation allows for growth.  (a) to (e) are good means to the objective.  There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and <u>maximised the amount is increased</u> through time, including by means of: (a) to (e) are good means to the objective.  Add (f) <u>enabling storage within the bed of a river</u></p>
<p>Policy P6: Synchronised expiry and review dates</p>	<p>Resource consents may be granted with a common expiry or review date within a <b>whatua or sub-catchment</b>, if:</p> <ul style="list-style-type: none"> <li>(a) the affected resource is fully allocated or over-allocated, or</li> </ul>	<p>Support/ amend</p>	<p>We support a good consistent and integrated approach i.e. in line with other consent periods in the region – 25 years Due to the significant investment in infrastructure a long consent is necessary.</p>	<p>Retain  Add (c) <u>consents will run for a period of 25 years</u></p>

	<p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <b>whaitua</b> or <b>sub-catchment</b>.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of <b>wastewater</b> and <b>stormwater</b>, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</p>	<p>(b) recognises the use of water for diluting wastewater and stormwater. Diffuse contaminants need to be included.</p> <p>We are pleased to see irrigation get a special mention.</p>	<p>Add <u>diffuse contaminants to</u> (b)</p> <p>retain</p>
<p>Policy P11: In-stream water storage</p>	<p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(c) there are significant social and economic benefits for the region, and</p> <p>(d) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(e) the reliability of water supply improves as a result, and</p> <p>(f) the damming and storage of water contributes to the</p>	<p>support</p>		<p>retain</p>



	<p><b>efficient allocation and use of water.</b></p>			
<p>Policy P107: Framework for taking and using water</p>	<p>The framework for the take and use of water recognises:</p> <ul style="list-style-type: none"> <li>(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and</li> <li>(b) the take and use of water does not exceed allocation amounts provided for in the Plan, and</li> <li>(c) minimum flows or water levels are managed in accordance with the Plan provisions.</li> </ul>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt.          Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses and the district and regional economies severely and unnecessarily. An empirical calibration is necessary.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have significant part to play in establishing the evidence</u>  <u>Insert (d) when schedule P changes: -ve effect on consent holders – 10 year lead in time to reflect cost. +ve effect – the water availability should be released immediately.</u></p>
<p>Policy P109: Lapse dates affecting water takes</p>	<p>Resource consents to take and use water shall be given effect to within three years of the commencement date unless a longer lapse date is justified due to the scale or complexity of the activity. For the purpose of this policy, "given effect to" includes the installation of infrastructure, water meter or flow measuring device or the use of the water in accordance with the purpose of the resource consent.</p>	<p>support</p>	<p>We support the use of water</p>	
<p>Policy P111: Water takes at minimum</p>	<p>The take and use of water shall not occur when flows or water levels fall below minimum flows or water levels in the whatitua chapters (chapters 7-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>ows and water :vels :)</p>	<p>11), with the exception that water is available below <b>minimum flows</b>:  (c) as authorised by resource consents in accordance with Policy P108.</p>	<p>takes below minimum flows and lake levels)(d) on restrictions should be changed to reflect the delayed interference with surface water and the likelihood of aquifer storage and infiltration rate at different distances from the surface water. A practical time lag should be allowed before take is reduced by 50%.</p>	<p>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p>
<p>olicy P115: authorising takes below minimum flows and lake levels</p>	<p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above <b>minimum flows</b>, and</p>	<p>As above The section 32 analysis for moving from a cease take position to 50% reduction in takes needs to be extrapolated to the effects of moving from no restrictions to 50% reduction in takes.</p>	<p>As above</p>
<p>'d) and (c) i</p>	<p>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:  (i) the water shall only be available five days (120 hours) after <b>minimum flow</b> take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>Unrealistic to believe that only 5 days of additional water after minimum flows are reached will be enough to keep rootstock alive during prolonged low water levels</p>	<p>Delete (c) (i)</p>

<p>Policy P116: re-allocating water</p>	<p>Water that becomes available from resource consents that are surrendered, lapsed, cancelled or not replaced, and by existing resource consents that are replaced for a lesser amount shall not be reallocated if the core allocation identified in Rules RR1, WH.R1 and KR1 in the whatua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	<p>Support</p>	<p>Retain</p>	
<p>Policy P117: Supplementary allocation amounts at flows above the median flow</p>	<p>In addition to core allocation, water is available from rivers at flows above the median flow provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25.</p>	<p>support</p>	<p>retain</p>	
<p>Policy P118: Reasonable and efficient use</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:</p> <p>(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	<p>amend</p>	<p>The investment in infrastructure is considerable and time is required to implement changes</p>	<p>(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative "renewal of consent to meet the criteria"</p>

	operative to meet the criteria, and			
Policy P119: unused water	<p>Unused water allocated to an existing resource consent may be re-allocated to the same user when the <b>existing resource consent</b> is replaced, or the abstraction rate is changed, only if the consent holder can demonstrate how the <b>unused water</b> will be used within four years, including by means of:</p> <ul style="list-style-type: none"> <li>(a) a capital expenditure programme linked to the purpose water is used for, and</li> <li>(b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use).</li> </ul>	Support		Retain
Policy P120: taking water for storage	<p>The taking of water for storage outside a river bed at flows above the <b>median flow</b> is appropriate provided Policy P17 is satisfied.</p>	Support		Retain
Policy P128: transfer of resource consents	<p>The temporary or permanent transfer of the whole or part of the amount allocated by a resource consent(s) to take and use water shall be enabled, provided:</p> <ul style="list-style-type: none"> <li>(a) the adverse effects of the take and use of transferred water are the same or less, and</li> </ul>	Support		retain

	<p>(b) the transfer occurs within the same catchment management unit, and</p> <p>(c) the same or a lesser amount of water is being taken or used, and</p> <p>(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and</p> <p>(e) the transferee's water take and use is reasonable and efficient for the intended use, including meeting the reasonable and efficient use criteria identified in Schedule Q (efficient use).</p>			
<p><u>Rules</u></p>		<p>amend</p>		
<p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p>	<p>The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.</p>		<p>The investment in infrastructure by users is significant and making this rule restricted discretionary gives consent holders more certainty at the time of consent renewal</p>	<p>Make this rule <u>restricted discretionary</u></p>
<p>Rule R137: Farm dairy washdown</p>	<p>The take and use of water from a surface water body (other than a water race that is permitted by Rule R138) or groundwater for the purpose of</p>	<p>amend</p>		

<p>id milk-cooling ater – permitted :ivity )</p>	<p>farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:</p> <p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any time during the three years prior to the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>		<p>(b) delete words after "...property." Leaving this in is anti growth and development and not in the best interests of the Wairarapa</p>	<p>(b) the total take shall be no more than 70L per day per stock unit based on the maximum herd size on the property at any-time during the three-years-prior-to-the-date-of-public-notification-of-the-Proposed-Natural-Resources-Plan-(31-07-2015),-and</p> <p>Note Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.</p> <p>In respect of condition (b) the Wellington Regional Council holds a record of the maximum herd size on the property using information obtained from the property owner in compliance with a resource consent obtained under Rule R83.</p>
<p>Rule R143: emporary water ermit transfers – controlled activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water to another location for a period of no more than one year is a controlled activity, provided the following conditions are met:</p>	<p>amend</p>	<p>Rule 143 (temporary water permit transfers) – for this rule to serve the objective in a usable and dynamic way transferring water permits needs to be a permitted activity not controlled</p>	<p>Delete Controlled and make this rule a permitted activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary activity</p>	<p>The transfer of the whole or part of a water permit for the take and use of water that does not meet the conditions of Rule R143 or that is for a period of more than one year is a restricted discretionary activity, provided the following conditions are met:</p>	<p>support</p>		<p>retain</p>
<p><u>Other methods</u></p>				

<p>Method M13: Wairarapa water races</p>	<p>Wellington Regional Council will work with Wairarapa district councils and landowners to characterise the hydrology, water quality, ecology, and the social, heritage and cultural values of the Wairarapa water races to develop management options for the water race systems by 2017. The management options include, but are not limited to:</p>	<p>amend</p>	<p>The economic values of water races are very important to land owners who have them. They were put in place so that the surrounding land could be farmed.</p>	<p>In opening paragraph insert after cultural values and economic values of the Wairarapa water races...</p>
<p>Method M18: Water use groups</p>	<p>Wellington Regional Council will:</p> <ul style="list-style-type: none"> <li>(a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and</li> <li>(b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and</li> <li>(c) provide, where available, accurate technical information to assist user groups.</li> </ul>	<p>Support</p>	<p>Method 18 (water user groups) will work well but transferring water needs to be a permitted activity.</p>	<p>retain</p>
<p>Method M19: Water management (d)</p>	<ul style="list-style-type: none"> <li>(d) promoting alternatives to the use of water races, and</li> </ul>	<p>amend</p>	<p>Costs of change will be substantial for some landowners. Access to power and underground water as well as maintenance of fenced off races are issues.</p>	<p>Change wording of (d) to <u>quantify costs and benefits of water races and explore alternatives</u></p>
<p>Method M28: Development of good management practice guidelines.</p>	<p>Wellington Regional Council will continue to develop practices, procedures and tools (including rules) in collaboration with industry, other relevant organisations and stakeholders to support the</p>	<p>support</p>	<p>good method esp. the use of the words "collaboration with industry"</p>	<p>retain</p>

	implementation of policies which rely on good management practice to achieve desired environmental outcomes.		positive move which will have farmers moving forward in their practices with the reg. council??	
<u>Luamahanga</u> <u>Whaitua</u>	When allocating river water or groundwater directly connected to surface water, regard shall be given to cumulative adverse effects on aquatic ecosystems in downstream river reaches as a result of flow depletion from loss of river water to groundwater.	amend	Important that the effects are measured, not just modelled.	Insert after - adverse effects – that are measured on aquatic ...
<u>Figures 7.3 – 7.8</u>	Water allocation amounts	Oppose	Again the categories need <u>empirical</u> verifying. Too big an impact and too little evidence of benefit to the environment to ignore. As a community we need to verify categories and as this occurs the amounts in these tables may change significantly	<u>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</u>
<u>Tables 7.3 – 7.5</u>	Surface and groundwater allocation amounts	Oppose	The allocation amount should reflect the current consented allocation amount. Some of the allocation amounts are considerably lower than the allocation currently consented. Consideration of consent applications has confirmed the amounts of allocation that are sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the water sources.	<u>Change the allocation amounts to what is currently allocated or more if spare water has been identified</u>



<p><u>Schedule P:</u>  Reasonable and efficient use of groundwater and surface water connectivity</p>	<p><u>Schedule Q:</u>  Reasonable and efficient use criteria</p>	<p>oppose</p>	<p>Needs empirical calibration by GW  The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt.  Expecting users to individually verify as consents are renewed is expensive and potential use of water is restricted unnecessarily impacting on farm businesses severely.</p>	<p><u>Needs empirical calibration by GW</u></p>
	<p>Irrigation  A resource consent application to take water for irrigation purposes shall include an assessment using a field validated model that considers land use, crop water use requirements, on-site physical factors such as soil water holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration. The model must reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall meet with the following criteria:  (a) an irrigation application efficiency of 80%, and  (b) demand conditions that occur in nine out of 10 years.</p>	<p>Amend</p>	<p>Remove sentence "the model must reliably predict annual irrigation volume within an accuracy of 15%." Unreasonable for the Wairarapa because of dramatic seasonal weather variations.  Wairarapa conditions differ from the rest of the country. This needs to be recognised.  More consultation with affected parties is required.</p> <p>irrigators with lower efficiency may be more suitable for specific crops and farming situations. Case by case systems need to be assessed</p>	<p>Remove sentence the model must reliably predict annual irrigation volume within an accuracy of 15%  Add after field validated model – <u>for Wairarapa conditions</u>  (a) add after 80% - <u>where practicable.</u></p>

<p>Schedule R: guideline for stepdown allocations</p>	<p>When river flows are low, stepdown allocations may be included as conditions of resource consent when rivers approach <b>minimum flows</b>. Stepdown allocations may require a take to cease or be reduced. Taking water that is not for the health needs of people may be required to cease or be reduced as flows approach minimum river flows. Typically, the reduction in water take that may be required will be half the consented amount. Stepdown allocations for specific rivers are identified in Table R1 unless otherwise agreed by a water user group. In other rivers, stepdown allocations may be agreed by a water user group, or in the absence of agreement or such a group, may be implemented by the Wellington Regional Council.</p>	<p>Support with amendments</p>	<p>Schedule R – guideline for stepdown allocations – good schedule and good use of user groups  However needs of stock drinking water and rootstock protection needs acknowledged  However more and more appropriate management points e.g. further south of Waihenga are required. GWV to establish in consultation with water users.  As water is cleaned up the minimum flow requirement for dilution is lower.  The effects of low flows needs to demonstrated as are the effects of restrictions  There also needs to be room for the Whaitua to have their input</p>	<p>Add after health needs of people - <u>stock drinking water and rootstock protection</u>  Table R1 is interim GWV to consult with water users</p>
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Table R1: Stepdown allocations for rivers in the Ruamāhanga River catchment

River	Minimum flow (L/sec)	Flow at which takes shall cease other than for the health needs of people or stock drinking water (water races) (L/sec)	Flow at which takes shall reduce (L/sec)	Management point
Waipoua River	250		300	Mikimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalls Weir Recorder
Mangatarere Stream	[upper reach] 240		[upper reach] 330	Gorge Recorder
	[lower reach] 200		[lower reach] 240	Gorge Recorder
Waiohine River	2300	3040		Gorge Recorder
Upper Ruamāhanga River	2400		2700	Wardells
Tauherenikau River	1100	1300		Gorge Recorder
Lower Ruamāhanga River	8500		9200	Waihenga Recorder

We are concerned that the extent of section 32 reports in relation to water allocation do not identify the effects of proposed changes on our members in enough detail.

Proposed Natural Resources Plan:

Submitter:

**Robert Andrews**

Submitter Number:

**S114**



**FORM 5: SUBMISSION FORM – PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991 S. 114

NAME/ORGANISATION #152662

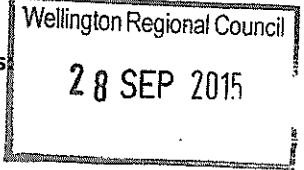
ROBERT CHARLES ANDREWS

NUMBER STREET NAME  
85 RANGIORA ROAD

SUBURB/TOWN POSTCODE  
REIKORANGI WAIKANAE RD1 5391

PHONE EMAIL  
04 2934892 bobandheidia@xtra.co.nz

The Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email



**The specific provision(s) of the Proposed Natural Resources Plan that my submission relates to is**  
**Please specify the provision/section number:**

- My submission on this provision is:
- I **support** the provision
  - I **oppose** the provision
  - I wish to have the specific provision **amended**

Reasons for my submission: 1. THIS PLAN TOTALLY IGNORES ALL VEHICLE EMISSIONS WHICH MUST CONSTITUTE BY FAR THE MAJORITY OF AIR POLLUTION.

- 2. TO IMPOSE RESTRICTIONS ON WOOD FIRED HEATING IS UNBALANCED + UNFAIR.
- 3. BURNING WOOD IS CARBON NEUTRAL; RESTRICTIONS = INCREASED FOSSIL FUEL.
- 4. AUCKLAND RESTRICTIONS VERY UNPOPULAR AND EXPENSIVE.

I seek the following decision from WRC (give precise details):  
5. WRC AREA IS WELL VENTILATED; POLLUTION VIRTUALLY NONEXISTANT.

I SEEK: NO RESTRICTIONS ON WOOD FIRED HOME HEATING.

Please continue on separate sheet(s) in similar format or download a submission form from [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

**Attendance and wish to be heard at hearing(s)**

- I/we **do** wish to be heard in support of my/our submission at hearings  
*Note: This means that you wish to speak in support of your submission at the hearing(s)*
- I/we **do not** wish to be heard in support of my/our submission. *Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court*
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Trade competition**

[Cross out this shaded section if you could not gain an advantage in trade competition through this submission]  
~~I/we could not gain an advantage in trade competition through this submission  
 I/we could gain an advantage in trade competition through this submission  
 I/we am/am not directly affected by an effect of the subject matter of my submission that:  
 (a) adversely affects the environment; and  
 (b) does not relate to trade competition or the effects of trade competition.~~

**Publication of details**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address. Your name and address will be there to enable other submitters who may wish to make a further submission to be able to serve you with a copy of it.

Signature: R. Andrews Date: 24 SEP 2015

Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission

**Post your submission to:** Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142



## Proposed Natural Resources Plan for the Wellington Region

Pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, Wellington Regional Council gives public notice that it has prepared a Proposed Natural Resources Plan for the Wellington Region.

The purpose of the Proposed Natural Resources Plan for the Wellington Region is to identify outcomes for the management of natural and physical resources and to put in place processes and methods (including rules) to achieve the purpose of the Resource Management Act 1991. The Proposed Natural Resources Plan for the Wellington Region is a combined Regional and Coastal Plan and once operative will replace the existing Regional Plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

All rules within the Proposed Natural Resources Plan for the Wellington Region have immediate legal effect.

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for public inspection during normal working hours at:

- The offices of the Wellington Regional Council at:
  - Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011
  - 34 Chapel Street, Masterton 5810
- The head offices of the District/City Councils in the Wellington Region
- All public libraries in the Wellington Region
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>

A copy of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports can be downloaded from the Wellington Regional Council website or a USB can be obtained free of charge by contacting the Hearings Officer on 04 384 5708 / 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz). Paper copies of the Proposed Natural Resources Plan for the Wellington Region and the Section 32 Reports are available for purchase from the offices of the Wellington Regional Council at the above addresses.

Please contact the Hearings Officer on 04 384 5708 / 0800 496 734 or [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) if you have any questions about the Proposed Natural Resources Plan for the Wellington Region.

### SUBMISSIONS

The following persons can make a submission on the Proposed Natural Resources Plan for the Wellington Region:

- The local authority in its own area may make a submission; and
- Any other person may make a submission, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that -
  - adversely affects the environment; and
  - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic

submission to the Wellington Regional Council at:  
Email submissions to: [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz) or post to:  
Freepost 3156  
The Proposed Natural Resources Plan  
The Wellington Regional Council  
PO Box 11646, Manners St  
Wellington 6142

The submission must be on the official form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from:

- Offices of the Wellington Regional Council
- The Wellington Regional Council website <http://www.gw.govt.nz/Regional-plan-review/>
- Calling 0800 496 734 or by emailing [Regionalplan@gw.govt.nz](mailto:Regionalplan@gw.govt.nz).

THE CLOSING DATE FOR SUBMISSIONS IS 5PM FRIDAY 25 SEPTEMBER

The process for public participation in consideration of the Proposed Natural Resources Plan for the Wellington Region is as follows:

- After the closing of submissions, the Wellington Regional Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary of submissions can be inspected; and
- There must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
  - Any person representing a relevant aspect of the public interest;
  - Any person who has an interest in the proposal greater than the general public has;
  - The local authority itself; and
- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- The Wellington Regional Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of that decision within 2 years of notifying the Proposed Natural Resources Plan for the Wellington Region and serve it on every person who made a submission at the same time; and
- Any person who has made a submission has the right to appeal against the decision on the Proposed Natural Resources Plan for the Wellington Region to the Environment Court if:
  - In relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal, and
  - The appeal does not seek the withdrawal of the proposal as a whole.

Greg Campbell  
CHIEF EXECUTIVE

31 July 2015

The address for service of the Wellington Regional Council is the same as the address for submissions as set out above.

Proposed Natural Resources Plan:

Submitter:

**Simon Stannard**

Submitter Number:

**S115**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Simon Stannard

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: 159 State Highway 1

RD1 \_\_\_\_\_

Waikanae 5391 \_\_\_\_\_

Telephone no's: Work: 04 9163054 Home: 04 2932166 Cell: 029 2957423

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: simon@stannard.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R36: Agrichemicals – permitted activity	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This creates onerous or expensive weed control for small block holders by restricting control of problematic weeds in rural areas to knapsack only (would not be able to use small lance based spray unit on ATV) application (non commercial) without onerous GROWSAFE® time/cost compliance requirements resulting in ineffective weed control unless farm operation substantial. Potential knock-on effect with respect to cost and productivity drop to neighbouring properties resulting in proliferation of the Californian Thistle problem. There are already adequate nation wide restrictions on supply of certain agrichemicals.

		For example this would amplify issues on properties bordering for example KCDC control responsibilities (Blackberry) on corner of Greenhill Road and SH1 Rail Reserves along SH1(Gorse).
	I seek the following decision from WRC (give precise details): →	Remove (h) for ground-based applications where the applicator is not a commercial applicator ... or ammend to exempt Grosafe requirement for less than for single application of less than 1,001lt of (mixed/diluted) agrichemical.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R40: Discharge of other fumigants – controlled activity	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	When using fumigants that have a manual activation (eg addition of water) there will always be some (even small) discharge into the air. The use of the common rabbit fumigant (phosphine) would become a controlled activity resulting in a significant reduction in use and resulting explosion of rabbit (pest) population.
	I seek the following decision from WRC (give precise details): →	Remove the rule or modify it to be controlled activity only when used to fumigate areas are greater than 17m3 per application.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R136: Take and use of water – permitted activity	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Under the current rules (20m3/day) a small rural block owner (majority are < 20ha) could effectively irrigate a few ha during the night with a small bore and a 6 pod irrigation system in addition to supply of water for stock, household use, and garden watering. (The high cost of power for pumping already balances out the risk of waste.)  This reduction represents more than halving the daily take for small blocks and doesn't support with intent of RMA regarding existing users unfairly burdens smal rural holdings who have no water supply choices.  Note: KCDC are on record as not intending to share their groundwater take with impacted rural users during hearings regarding their own application for borefields in support of river recharge.
	I seek the following decision from WRC (give precise details): →	Modify to read: (a) the total take, excluding water for household and garden use, per property shall not exceed the following rate and volumes, and Remove the table restricting use by property size and substitute Volume per day 20m3 & 2.5l/s except for firefighting.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R141: Take and use of water – controlled activity	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	As written this rule introduces the requirement for Resource Consent to use any bore, even one using less than 20m3 a day. This is an unfair burden on rural block holders without council water reticulation.
	I seek the following decision from WRC (give precise details): →	Modify to read in conjunction with my modification of Rule 136. The take and use of water from a surface water body or groundwater is a controlled activity, unless the following conditions are met: (a) the take and use was in existence on a property at the date of public notification of the Proposed Natural Resources Plan (31.07.2015), or (b) the total take and use per property, complies with Rule R136 and  [leave the remaining clauses]

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 25/10/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Henergy Cage-Free Limited**

Submitter Number:

**S116**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: \_\_\_\_\_  
 Organisation name: \_\_\_\_\_  
 (If applicable) Henergy Cage-Free Limited  
 Address for Service: C/- Geange Consulting, PO Box 213, Carterton

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0275432643  
 Contact person: Kerry Geange  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: kerry@geangeconsulting.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

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.....	Reasons for my submission: →	RULE R82 & INTERPRETATION  When used appropriately chicken manure is highly effective in soil conditioning and providing nutrients for pasture and crop uptake without undue adverse effects on the environment, and reducing the need for synthetic fertilisers. This provides a sustainable outcome both in terms of sustainable use of a waste product and economic benefits for land users and operators.  The Proposed Plan is currently ambiguous. The use of fertiliser is a



		<p>permitted activity (Rule R82), and the definition of "Fertiliser" excludes "compost" but not poultry effluent." However Rule R83 then provides a "catch-all" controlled activity rule for all animal effluent, including poultry effluent.</p> <p>It is clear that the intent of the rule is primarily to manage dairy farm effluent, and that all other effluent has been "lumped in".</p> <p>The use of raw chicken effluent for soil condition and fertiliser is appropriate and in many circumstances can be undertaken in accordance with standard separate distances without risk of any adverse effect which is any more than minor. The current rule imposes significant unnecessary costs on producers and farmers and creates an unnecessary and significant barrier to the sustainable and efficient use of a natural waste product.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. the definition of animal effluent be amended to exclude dry poultry manure; or</li> <li>2. the discharge of raw poultry manure solids (where moisture levels by weight are less than 40%) to land for soil conditioning and fertilising pasture and cropping land be provided for as a permitted activity, subject to fair and reasonable standards; and</li> <li>3. any related or consequential amendments to give effect to the intent of this submission.</li> </ol>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): .....</p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>RULE R83</p> <p>The intent of Rule R83 to provide for the discharge of collected animal effluent as it relates to poultry farm effluent with high water content is supported in principle, but the following matters are of concern:</p> <ol style="list-style-type: none"> <li>1. The matters of control are clearly targeted toward dairy farming, and of limited or no relevance to other farming types (in particular Matter 2);</li> <li>2. Matter 5 duplicates Matter 4 and partially Matter 8, and is unnecessary.</li> </ol>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>That Rule R83 be amended as follows, or similar with the same intent and effect:</p> <ol style="list-style-type: none"> <li>1. That R83(c) be amended to read "poultry farms (except as provided for in Rule R82 as a permitted activity)"; and</li> <li>2. That R83 Matter 2 be amended to read "For dairy farm activities, maximum herd size for the property";</li> <li>3. That Matter 3 be amended to read "Nutrient loading rates, from the perspective of the ability of the soil and any pasture or crops to assimilate any nutrients and the effects of overland flow to be managed", and</li> <li>4. That R83 Matter 5 be deleted in its entirety.</li> </ol>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	<p>Reasons for my submission: →</p>	
	<p>I seek the following decision from WRC (give precise details): →</p>	

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.....	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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- I/We do wish to be heard in support of my/our submission  
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- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Kapiti Coast District Council**

Submitter Number:

**S117**



Wellington Regional Council

25 SEP 2015

24 September 2015

Regional Plan Review  
Greater Wellington Regional Council  
PO Box 11646  
WELLINGTON 6142

Dear Sir/Madam

**KĀPITI COAST DISTRICT COUNCIL SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN**

Thank you for the opportunity to submit on the proposed Natural Resources Plan for the Wellington Region (the proposed NRP).

Kāpiti Coast District Council recognises and welcomes that changes have been made to the proposed NRP following consultation on the draft version, and is pleased to see that the efforts both councils have put into harmonisation of provisions between out respective plans have been given effect to. This Council also strongly supports the intentions set out to embark on collaborative approaches with iwi and the community to develop a whole-of-catchment approach to water management.

Council was therefore very concerned to see that the role of critical partners – being territorial authorities - has been largely overlooked. The proposed Natural Resources Plan provided a significant opportunity to cement in working relationships that are necessary between the region and the districts to fully implement our shared responsibility for managing our environment. Further, the absence of any commentary about the complementary regulatory roles, and cross-referencing for users is potentially misleading and risks that a lay user may completely overlook the fact that an activity may well trigger district provisions as well.

This issue is of most significance on the coast, where the absence of any defined CMA boundary beyond river mouths means that the boundary must be established on the ground on a case-by-case basis. This is completely inefficient for councils and ratepayers, and further creates the risk of inconsistent decisions with the consequence of confusion for our residents and ratepayers. Best practice in other jurisdictions has been for some time to define these boundaries clearly on planning maps.

Council is pleased to see that Regional Council has committed formally to the development of a natural hazards strategy. However, it has not committed to a timeframe, or to introducing any regulatory changes at the end of that process. Given that this is a specific responsibility of the regional council under the RMA 1991, this Council would like to see a firm commitment to addressing this gaps.

Council sought a commitment through the Long Term Plan to timetabling the Kāpiti Coast Whaitua process. The clarity sought has not been achieved, and the consequence for this Council is that it has created uncertainty and potential cost for its community as the new stormwater staged consent processes take effect. This Council is already in the process of seeking to re-consent its stormwater discharges; and the consequence of the new rules is that the new consent will be granted for no more than 5 years. At the end of that period this

607343

Council will be required to seek a limited discretionary consent for its discharges through the second-stage process. This is an unreasonably onerous requirement that carries the risk of decline for a network facility, is inconsistent with the policies that recognise the benefits of regionally significant infrastructure, and inconsistent with the stated desire to enter into collaborative processes to determine both community outcomes and methods for achieving improved water quality outcomes (the Whaitua process).

These matters are described in the formal submission that follows, and is also submitted in electronic form. Please contact Sherilyn Hinton, Principal Policy Planner (email [sherilyn.hinton@kapiticoast.govt.nz](mailto:sherilyn.hinton@kapiticoast.govt.nz) or phone 04 296 4771) in the first instance if you have any queries in relation to the submission points raised.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Pat Dougherty', written in a cursive style.

Pat Dougherty  
CHIEF EXECUTIVE

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## Kāpiti Coast District Council Submission on the Proposed Wellington Regional Natural Resources Plan (NRP)

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### 1. SUBMITTER DETAILS

#### Submission on the Proposed Natural Resources Plan for the Wellington Region

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##### INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

Your details:

Full name: Pat Dougherty, Chief Executive

Company name: Kāpiti Coast District Council

Address1: Private Bag 60 601

Address2:

Address3:

Address4:

Town: Paraparaumu

Postcode: 5254

Telephone Work: 04 296 4700

Telephone Home:

Telephone Cell:



Email address:

Trade competition

No

[stephen.mcarthur@kapiti.coast.govt.nz](mailto:stephen.mcarthur@kapiti.coast.govt.nz)

I/we could not gain an advantage in trade competition through this submission

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)


Yes

I/we do wish to be heard in support of my/your submission  
[Note: this means that you wish to speak in support of your submission at the hearing(s).]

I/we do not wish to be heard in support of my/our submission  
[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Regional Council to the Environment Court.]  
If other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date:

Signature:

24/9/15  


## 2. INTRODUCTION

Introduction	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
1.5.1 Statutory framework	Amend	The role of territorial authorities as regulators under the RMA is only alluded to in Figure 1.3, and no explanatory text is provided. This does not help a reader understand the roles of the different agencies, and does not provide clarity regarding jurisdictional boundaries	Insert a new paragraph under paragraph 2 page 9 "District Plans are regulatory, and restrict use of land that would otherwise be unregulated. District Plans, like Regional Plans, must give effect to national and regional policy statements. Activities can span jurisdictional boundaries, and trigger requirements under both regional and district plans"
1.5.2 Community views, scientific and technical information - identifying issues	Amend	The role of territorial authorities as promoters of community outcomes, as service providers, and as implementers is not raised. If the plan is to be genuinely collaborative, it needs to recognise the role that territorial authorities now play and could play as supporters working with the regional council to achieve joint outcomes.	Insert a new paragraph 1.5.3 "Role of territorial authorities" as follows: "Many issues in the region are shared with the territorial authorities. The territorial authorities can have roles as joint promoters, for example through supporting initiatives through funds and other incentives, as service providers managing activities such as stormwater and wastewater that have positive environmental outcomes, as regulators in common for activities that span boundaries (such as vegetation in wetlands) or affect both regional and district functions (such as earthworks), and as joint implementers of matters such as issuing consents, monitoring, and enforcement. To achieve the best outcomes for communities therefore the different agencies need to work together.

Introduction	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
<p>1.5.2 Community views, scientific and technical information - identifying issues</p>	<p>Amend</p>	<p>The regional council clearly recognises the significance of the partnership relationship as expressed through its statement on Mahitahi. Such relationships are also expressed in the District dimension. For tāngata whenua, their role as kaitiaki provides motivation for working in partnership with the Kāpiti Coast District Council (council). Clearly, council and tāngata whenua have a role in the management of the environment. The key to this partnership is our commitment to weaving tāngata whenua values and aspirations across and within council planning and management of the districts natural resources. In 1994, mandated organisations from Te Āti Awa, Ngāti Raukawa, Ngāti Toarangatira and council signed a Memorandum of Partnership and established the tāngata whenua partnership committee Te Whakaminenga o Kāpiti. This partnership commits to working collaboratively on opportunities that are of mutual benefit. In regards to councils own district plan review, tāngata whenua were heavily involved through a parallel review process.. Through this process, iwi developed the document; "Te Haerenga Whakamua; A Review of the District Plan Provisions for Māori. A Vision for the Future". This document provides clear articulation of tāngata whenua values with regards to the environment. The document contains tikanga policy which supports locally specific values and district wide aspirations of the three iwi. These tikanga policy are applicable in both a regulatory and non-regulatory</p>	<p>Insert a new paragraph 1.5.4 "Recognising relationships with tāngata whenua in the territorial authority dimension" as follows: Relationships between territorial authorities and tāngata whenua in the context of territorial authority responsibilities are foundational for delivering a partnership perspective in managing the environment at the territorial level. While the same iwi are involved, the dimensions are different. These relationships will be recognised as a strong link point in the development of collaborative programmes between community and regional and territorial authorities."</p>

Introduction		My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
		<p>approach.</p> <p>A statement in the document Te Haerenga Whakamua reminds us that; "Any planning and environmental outcomes being sought by non-Māori organisations – in this instance KDCDC – must address and account for how Māori interpret the natural world. Without an appreciation and practical application of the Māori world-view, it is likely that meaningful engagement with ART regarding the Kāpiti district will be meaningless, misguided and will not positively progress working relationships".</p>		

### 3. OBJECTIVES

Objectives	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Objective O1: Ki uta ki tai	Support	Supports the Whaitua collaborative approach	Retain the objective
Objective O2: Importance of land and water	Support	Recognises the role of the environment in community well-being	Retain the objective
Objective O9: Recreational values	Support	Supports a consistent approach to wetland management	Retain the objective
Objective O10: Public access	Support	Supports approach to public recreation	Retain the objective
Objective O11: Māori customary use	Support	Provides for maori aspirations in wetlands	Retain the objective
Objective O12: Benefits of regionally significant infrastructure	Support	Recognises importance of territorial authority infrastructure	Retain the objective
Objective O13: Protecting regionally significant infrastructure	Support	Recognises importance of territorial authority infrastructure	Retain the objective

Objectives	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Objective O14: Māori relationships	Support	Recognises role of maori	Retain the objective
Objective O15: Kaitiakitanga	Support	Recognises role of maori	Retain the objective
Objective O16: Ngā Taonga Nui a Kiwa	Support	Recognises role of maori	Retain the objective
Objective O17: Natural character	Support	Supports the approach to wetland management	Retain the objective
Objective O18: Low energy receiving environments	Support	Protects estuarine environments	Retain the objective
Objective O19: Natural processes	Support	Protects natural functioning	Retain the objective
Objective O20: Risk from natural hazards	Support	Establishes approach to natural hazards	Retain the objective
Objective O21: High hazard areas	Support	Establishes approach to natural hazards	Retain the objective
Objective O22: Hard engineering	Support	Establishes approach to natural hazards	Retain the objective
Objective O31: Outstanding water bodies	Support	Establishes approach to protecting wetlands	Retain the objective

Objectives	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Objective O35: Significant indigenous biodiversity values	Support	Establishes approach to protecting and biodiversity	Retain the objective
Objective O53: Functional need in the coastal marine area	Support	Establishes approach to managing structures in the coastal marine area	Retain the objective

#### 4. POLICIES

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Policy P74: First-stage local authority network consents	Amend	Limiting consent duration to 5 years places an unreasonable burden on local authorities and will divert resources into compliance rather than building towards consensus through the Whatitua approach	Remove sub clause (d) "limiting resource consents granted under Rule 50 to a maximum of five years"
Policy P7: Uses of land and water	Support	Recognises the importance of regionally significant infrastructure	Retain the provision
Policy P8: Beneficial activities	Support	Recognises and provides for beneficial operational activities of district councils	Retain the provision
Policy P12: Benefits of regionally significant infrastructure and	Support	Recognises and provides for beneficial operational activities of district councils	Retain the provision

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
renewable electricity generation facilities			
Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities	Support	Recognises and provides for beneficial operational activities of district councils	Retain the provision
Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities	Support	Recognises and provides for beneficial operational activities of district councils	Retain the provision
Policy P17: Mauri	Support	Recognises importance of relationships	Retain the provision
Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa	Support	Recognises importance of relationships	Retain the provision
Policy P19: Māori values	Support	Recognises importance of relationships	Retain the provision
Policy P20: Exercise of kaitiakitanga	Support	Recognises importance of relationships	Retain the provision



Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Policy P22: Ecosystem values of estuaries	Support	Recognises ecosystem values	Retain the provision
Policy P24: Outstanding natural character	Support	Recognises natural values	Retain the provision
Policy P25: Natural character	Support	Recognises impact of use and development on natural values	Retain the provision
Policy P26: Natural processes	Support	Recognises importance of natural processes	Retain the provision
Policy P27: High hazard areas	Support	Recognises risks of use and development in hazard areas	Retain the provision
Policy P28: Hazard mitigation measures	Support	Provides for a risk based approach to hazards	Retain the provision
Policy P29: Climate change	Support	Recognises need to have regard to effects of climate change	Retain the provision
Policy P30: Natural buffers	Support	Recognises value of natural buffers	Retain the provision
Policy P36: Effects on indigenous bird habitat	Support	Provides for protection of bird habitat	Retain the provision
Policy P37: Values of wetlands	Support	Recognises values of wetlands	Retain the provision

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Policy P38: Restoration of wetlands	Support	Supports restoration of wetlands	Retain the provision
Policy P39: Adverse effects on outstanding water bodies	Support	Recognises outstanding water bodies	Retain the provision
Policy P40: Ecosystems and habitats with significant indigenous biodiversity values	Support	Recognises significant values to be protected	Retain the provision
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values	Support	Recognises a hierarchy of avoidance of effects and use of off-sets	Retain the provision
Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values	Support	Provides for protection of biodiversity	Retain the provision
Policy P132: Functional need and	Support	Provides for appropriate controls in CMA	Retain the provision

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
efficient use			
Policy P134: Public open space values and visual amenity	Support	Provides for cross boundary issues management	Retain the provision
Policy P138: Structures in sites with significant values	Support	Provides for essential infrastructure in CMA sites	Retain the provision
Policy P139: Seawalls	Support	Provides for only essential infrastructure in the CMA	Retain the provision
Policy P143: Deposition in a site of significance	Support	Provides for essential services	Retain the provision
Policy P145: Reclamation, drainage and destruction	Support	Provides for essential services	Retain the provision
Policy P147: Motor vehicles on the foreshore	Support	Provides for essential services	Retain the provision
Policy P148: Motor vehicles in sites with significant value	Support	Provides for essential services	Retain the provision

**5. DISCHARGES TO WATER**

Rules - Discharges to water	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R42: Minor discharges – permitted activity	Amend	Discharges from dewatering activities may exceed clause (b) suspended solids concentration. Requiring discretionary consents for these activities places an unreasonable burden on local authorities.	<p>Option 1: Create new rule "Minor discharges from dewatering activities for regionally significant infrastructure" as follows: The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) where the discharge may enter groundwater, the discharge is not located within 50m of a bore used for water abstraction for potable supply or stock water, and</li> <li>(b) if the discharge is from dewatering, the discharge is not from contaminated land, and</li> <li>(c) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</li> <li>(d) the discharge shall not give rise to the following effects after the zone of reasonable mixing: <ul style="list-style-type: none"> <li>(i) a change in the pH of <math>\pm 0.5</math>pH unit, or</li> <li>(ii) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</li> <li>(iii) any conspicuous change in the colour or visual clarity, or</li> <li>(iv) any emission of objectionable odour, or</li> </ul> </li> </ul>

Rules - Discharges to water	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R42: Minor discharges – permitted activity	Amend	Discharges from dewatering activities may exceed clause (b) suspended solids concentration. Requiring discretionary consents for these activities places an unreasonable burden on local authorities.	(v) the fresh water is unsuitable for consumption by farm animals, or (vi) any significant adverse effects on aquatic life: or
Rule R50: Stormwater from a local authority network at plan notification – controlled activity	Amend	Limiting consent duration to 5 years places an unreasonable burden on local authorities and will divert resources into compliance rather than building towards consensus through the Whatua approach	Option 2: Create new rule "Minor discharges from dewatering activities for regionally significant infrastructure - controlled activity" as follows: the discharge of water from dewatering activities for regionally significant infrastructure that does not meet permitted activity standards is a controlled activity  Remove "Matters of Control" point 3 "Duration of consent up to a maximum of five years"
Rule R51: Stormwater from a local authority network two years after public notification – restricted	Amend	Creating risk that a stormwater application might be declined is an unreasonable imposition. Stormwater systems provide essential services that can not be turned off; and while the concept of improving water quality over time is supported, it must be reasonable and achievable.	Rule 51 is categorised as "controlled"

Rules - Discharges to water	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
discretionary activity			

**6. LAND USE**

Rules - Land use	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R99: Earthworks – permitted activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R100: Vegetation clearance on erosion prone land – permitted activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R101: Earthworks and vegetation clearance – discretionary activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"

Rules - Land use	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R103: Plantation forestry harvesting – controlled activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"

## 7. WETLANDS

Rules - Wetlands and beds of lakes and rivers	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R104: Structures in natural wetlands and significant natural wetlands – permitted activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R107: Activities in natural wetlands and significant natural wetlands –	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"



Rules - Wetlands and beds of lakes and rivers	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
discretionary activity			
Rule R108: Activities in natural wetlands and significant natural wetlands – non-complying activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R109: Activities in outstanding natural wetlands – discretionary activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"
Rule R110: Activities in outstanding natural wetlands – non-complying activity	Amend	Users may not be aware of provisions in District Plans that might also apply	Retain provision, and insert footnote *see also provisions in the relevant district plan"

## 8. WATER ALLOCATION

Rules - Water allocation	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R140: Dewatering – permitted activity	Amend	The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves	Option 1: Delete part of sub clause (a) as follows "but does not exceed one month"; as or
Rule R140: Dewatering – permitted activity	Amend	The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves	Option 2: Create new rule "Dewatering for regionally significant infrastructure" as follows: The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing for regionally significant infrastructure, is a permitted activity, provided the following conditions are met:(a) the take continues only for the time required to carry out the work , and (b) the take and diversion and discharge is not from, onto or into contaminated land or potentially contaminated land, and (c) the take does not cause ground subsidence, and (d) the take does not deplete water in a water body, and (e) there is no flooding beyond the

Rules - Water allocation	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
			boundary of the property. (Option2)
Rule R140: Dewatering – permitted activity	Amend	The time limitation of one month is unreasonable for the construction and maintenance of regionally significant infrastructure on the Kapiti Coast. Most construction and maintenance activities require significantly more dewatering time than this, which under the proposed provisions will default to discretionary. This will add significant time and cost to each activity, which will be to the disbenefit of the community it serves	Create new rule "Dewatering activities for regionally significant infrastructure - controlled activity" The take and use of water for dewatering activities for regionally significant infrastructure that does not meet permitted activity standards is a controlled activity

## 9. COASTAL MANAGEMENT

Rules - Coastal management	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R189: Clearance of stormwater pipes – permitted activity	Support	Provides for maintenance activities	Retain the provision
Rule R191: Disturbance associated with beach grooming – permitted activity	Support	Provides for maintenance of amenity	Retain the provision
Rule R193: River and stream mouth cutting – permitted activity	Support	Provides for maintenance of river and stream mouths	Retain the provision
Rule R197: Motor vehicles for certain purposes – permitted activity	Support	Provides for maintenance and safety activities	Retain the provision

## 10. OTHER METHODS

Other methods	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Method M3: Wellington regional hazards management strategy	Amend	The plan does identify that a natural hazards strategy will be developed, but does not commit to either a timeframe, or to developing any legal framework within the regional plan to give effect to it. The RMA requires Councils to make changes to plans to ensure they give effect to a National Policy Statement as soon as practicable. An indefinite timeframe and no commitment to change or vary the plan does not meet this test	Amend Method 3 to read "Wellington Regional Council will work with city and district councils and the community to: (a) identify areas of significant natural hazards, and (b) develop and implement a hazard management strategy, and (c) produce maps of areas of significant natural hazards and other instruments by the end of 2017 for inclusion in the Plan by change or variation
Method M4: Sea level rise	Support	This information is important for managing future effects of natural hazards	Retain the method
Method M15: Regional stormwater working group	Support	Supports the Whaitua concept	Retain the method
Method M20: Wetlands	Support	Supports working with communities to better manage wetlands	Retain the method

## 11. SCHEDULES

Schedules	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Schedule F: Ecosystems and habitats with significant indigenous biodiversity values	Support	Scheduling sites, particularly wetland sites in Schedule F3, provides an adequate trigger for awareness by landowners of the sites of importance to the region. Wetlands are often a subset of mapped areas of biodiversity significance, and overlapping maps can create confusion regarding what applies where.	Retain the scheduling approach

## 12. MAPS

Maps	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
<p>Maps 42-48: Coastal marine area and river mouth boundaries</p>	<p>Amend</p>	<p>The plan as drafted does not give effect to the NZ Coastal Policy Statement, or to the Wellington Regional Council's own Regional Policy Statement.</p> <p>S62 of the RMA requires the regional policy statement to allocate responsibilities for specifying the objectives, policies, and methods for the control of the use of land to avoid or mitigate natural hazards or any group of hazards.</p> <p>The NZCPS requires that local authorities</p> <ul style="list-style-type: none"> <li>• identify areas at risk from coastal hazards,</li> <li>• avoid increasing the risk of harm resulting from coastal hazards,</li> <li>• avoid redevelopment or change in land use that would increase the risk of adverse effects of coastal hazards,</li> <li>• undertake an assessment of options for reducing coastal hazards, and</li> <li>• importantly, it requires that a coordinated management or control of activities within the coastal environment particularly where activities could cross the local authority boundary between the coastal marine area and land.</li> </ul> <p>The Regional Policy Statement notes that the methods for implementing these requirements will be via regional and district plan implementation. It allocates (via Policy</p>	<p>Council establishes, and includes a mapped boundary to the CMA for all of the landward boundary, and prepares maps that show the location of coastal protection structures in relation to the CMA boundary within the Regional Plan.</p>

Maps	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
		<p>62) responsibility to the region for developing objectives, policies, rules and other methods within the CMA, and to both region and the districts for developing objectives and policies on land outside the CMA, to districts for rules on land outside the CMA, and both for non-regulatory methods.</p> <p>Policy 29 further states that regional and district plans shall identify areas at high risk from natural hazards, and include policies and rules to avoid inappropriate subdivision and development in these areas. Policies 51 and 52 further develop considerations to be taken in terms of minimising the risks and consequences of natural hazards, and minimising adverse effects of hazard mitigation measures.</p> <p>The proposed Plan further develops the themes in terms of definitions and policies, but does not 1) identify areas of coastal hazards (other than the entire CMA) or 2) provide any guidance beyond the RMA about the location of the landward CMA boundary other than at river mouths.</p> <p>The plan does identify that a natural hazards strategy will be developed, but does not commit to either a timeframe (other than, one assumes, within the life of the plan), or to developing any legal framework within the regional plan to give effect to it. The RMA requires Councils to</p>	



Maps	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
		<p>make changes to plans to ensure they give effect to a National Policy Statement “as soon as practicable”. An indefinite timeframe and no commitment to change or vary the plan does not meet this test.</p> <p>This definition of the CMA boundary is critical for implementation as many activities can span the boundary, and where property either extends into the CMA, or is bounded by the CMA at MHWS. The consequence of this is that users and administrators are forced to identify the boundary case-by-case, which creates risks of uncertainty and inconsistency. The problem is further exacerbated by the conundrum that can be created where hard protection structures effectively alter the positioning of MHWS, impacting on neighbouring land and on natural processes. Both of these effects are contrary to the Proposed Plan, the Regional Policy Statement and the NZCPS, and must be addressed.</p> <p>Coastal protection structures are in the process of being identified, but have not yet been mapped</p>	

Proposed Natural Resources Plan:

Submitter:

**Selwyn Feary**

Submitter Number:

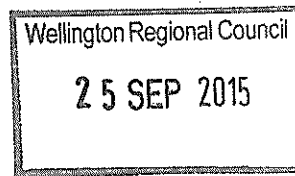
**S118**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Selwyn Feary  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: \_\_\_\_\_

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 012 82 0088

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: selwyn@sfx.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): R166	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Assumes global warming
	I seek the following decision from WRC (give precise details): →	Mean High Water Springs as at 2015

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**Kaiwaiwai Dairies Limited**

Submitter Number:

**S119**



# Submission on the Proposed Natural Resources Plan for the Wellington Region



## INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

### Your details:

Full name: C/- Neville Fisher  
Company name: Kaiwairai Dairies Limited  
Address1: 839a State Highway 53  
Address2: RD 1  
Address3:  
Address4:  
Town: Featherston  
Postcode: 5771  
Telephone Work:  
Telephone Home: 274481258  
Telephone Cell:  
Email address: adm.peveral@gmail.com

### Trade competition

I/we could not gain an advantage in trade competition through this submission

Yes  I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

Yes  I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Attendance and wish to be heard at hearing(s)

Yes  I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes  if other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 25/09/2015

I seek the following from WRC  
(give precise details):

Reasons for my submission:

My submission on this provision is:

Introduction

Introduction

We support the general direction of the introduction, in particular the concept of integrated catchment management and the consolidation of five original plans into one.

Introduction

The time frame for submissions falls in the busiest time of year for farmers (calving and lambing) and has significantly reduced their opportunity to read and comment on the proposed plan. While many farmers have been involved in the consultation process there are significant changes in the proposed plan that will materially effect them.

**Interpretation**      **My submission on this provision is:**      **Reasons for my submission:**      **I seek the following from WRC (give precise details):**

<p>Interpretation</p>	<p>Water races should be included in "Regionally significant Infrastructure"</p>	<p>Water races are vital for supplying water to large areas in the Wairarapa. As such they need to be recognised as regionally significant.</p>	<p>Include Water races in definition of Regionally significant infrastructure.</p>
<p>Interpretation</p>	<p>Category 2 surface water body, if water races are to be included the definition should be for water races wider than 1 metre</p>	<p>To be consistent with other water bodies</p>	<p>Water races should not be included as the have their own resource consents held by TLA's. If water races are included as category 2 surface water body then only include water races wider than 1 metre.</p>
<p>Interpretation</p>	<p>Category B groundwater - both definitions refer to the wrong schedule - Q instead of P</p>	<p>Change typo error from Q to P</p>	<p></p>
<p>Interpretation</p>	<p>Silage definition is very loose</p>	<p>A majority of silage stacks have a moisture content that is at a level that produces no leachate.</p>	<p>High moisture is defined as above 75% moisture content</p>
<p>Interpretation</p>	<p>Add a definition for Ponding - particularly in relation to animal effluent</p>	<p>Ponding is referred to in a number of policies (P94) and rules (R83). Current policies and rules don't allow any ponding, this is not practical and if the soil is capable of absorbing effluent, then ponding will disappear quickly. Ponding infers there is no runoff. We refer to the consent condition for the MDC sewage disposal which allows 24 hours of ponding and Rule 79 (h)</p>	<p>Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)</p>
<p>Interpretation</p>	<p>The drain and Artificial farm drainage canal definitions needs to specifically exclude Water Races for clarity</p>	<p>Water races are do not fit the definition of a drain or artificial farm drainage canal but are often confused with these.</p>	<p>Specifically exclude Water Races (Map 28) from the definition of a drain and artificial farm drainage canal</p>
<p>Interpretation</p>	<p>Add definition of river</p>	<p>Section 2 of the RMA has a definition of river that would be helpful in the plan</p>	<p>Add: River: a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water race, canal for the supply of water for electricity power generation, and farm drainage canal)</p>



**Objectives**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Objectives	O25. Table 3.6 the levels of nitrate are not defined

Without defined numbers we cannot determine the impact or effect on ground water.

Nitrate level initially set at drinking water standard, with the Waitua to make the final determination.

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policies	P3: Precautionary approach. This is hamstringing the local economy, it becomes easy to use precautionary as an excuse for conservative management	This is effecting the potential economic growth of the region, decisions limiting water and land use (eg. Aquifer moratoriums)	
Policies	4.2 P7 (b) add diffuse discharges	The beneficial use of land and water for the treatment, dilution and disposal of diffuse discharges (from humans and animals) should be recognised.	Add: ...and diffuse discharges.
Policies	P11 Support this policy		
Policies	4.8.1 P63 Support the Whaitua process		
Policies	P94 delete (b) (iv)	repeats (b) (ii)	Delete P94 (b) (iv)
Policies	P94 (b) (ii) and (iv) refer to ponding, ponding needs a definition	To be consistent with R79 (h), and it will be a practical method of determining whether a disposal system is working.	Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)
Policies	P94 move to Section 4.8.8	Not part of hydraulic fracturing	Move to 4.8.8
Policies	P105	We question having a policy protecting an introduced, predatory species. This conflicts with objectives and policies to protect native species.	Either delete or take into account the negative effect this policy will have on native species.
Policies	P115 (c) (i) should be deleted	Restricting the number of days is at odds with providing water for rootstock protection.	Delete P115 (c) (i)



Rules - Air quality

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rules - Air quality	R37 no provision for non commercial applicator

Insert: for ground-based applications where the applicator is not a commercial applicator the applicator shall:  
(i) hold a GROWSAFE® Introductory Certificate, or  
(ii) be supervised by a person holding a current GROWSAFE® Advanced Certificate, and



**Rules - Discharges to land**      **My submission on this provision is:**      **Reasons for my submission:**      **I seek the following from WRC (give precise details):**

<p>Rules - Discharges to land</p>	<p>R83 (f) needs definition of ponding</p>	<p>Require a definition so there is a practical method of determining ground uptake of effluent. To be consistent with R79 (h)</p>	<p>Ponding defined as: areas of ponded effluent on the ground surface greater than 10m<sup>2</sup> for a period greater than 12 hours or runoff (visible overland flow)</p>
<p>Rules - Discharges to land</p>	<p>R83 (g) existing ponds only required to meet the permeability standard if being modified</p>	<p>The section 32 report does not address the economic impact of upgrading existing storage to meet the new standard. Many ponds have been constructed from impervious materials i.e. clay and it is almost impossible to seal them retrospectively. Unless there is any perceivable evidence of leakage existing ponds should be allowed to operate as is. Horizon's One Plan has been through the Environment Court and now recognises that sealing an existing pond is environmentally uneconomic.</p>	<p>Suggested wording to replace (g): The entire extent of effluent storage and treatment facilities (including sumps and ponds) must be sealed so as to restrict seepage of effluent where all or any part of the storage facility (including weeping walls, stone traps, sumps and ponds) is established or extended (including deepening) from the date the Plan is made operative. The permeability of the sealing layer must not exceed 1x10<sup>-9</sup>m/s subject to the following exceptions:          (i) Where there are multiple ponds that make up the storage facility, but not all are being extended then only those that are being extended are required to be fully sealed, or          (ii) The establishment or extension of sumps, weeping walls or stone traps alone do not trigger a requirement for sealing of existing ponds.</p>

No evidence has been produced that an economic benefit A collaboratively produced section 32 analysis of the to the environment will occur from farmers being forced economic benefit of storage is carried out before farmers to install storage. Effluent is already irrigated to pasture are forced to spend \$150,000 - \$400,000 on storage. so storage is not going to produce any further gains. Irrigating to flat soils at field capacity will displace clean water at the bottom of the soil profile (Bowler DairyNZ Wairarapa Moana feild day 2014). As only 1 irrigation event is likely to occur on any give area of land in wet conditions, the impact on receiving waters is less than minor. The section 32 report severly underestimates to cost of building storage, it also ignores nutrient loss through denitrification while effluent is being held and the production of methane, a serious greenhouse gas. NIWA has identified dairy effluent storage ponds as a hot spot for greenhouse gas emmissions.

We don't like moving, discretionary targets Include the limits that are being used

They are compleatly different products, silage is covered 2 seperate rules and fermented for preservation, compost is exposed to the elements as part of the breakdown process.

Delete R90 (b) from silage rule

Silage stacks below 75% moisture content do not produce leachate. Farmers work hard to prevent harvesting wet crops as this may reduce silage quality. The section 32 report suggests most silage pits will comply with the permitted activity condition so why have a rule? Delete rule or more consultation with the rural sector about what is being attempted to be achieved with this rule.

<p>Rules - Discharges to land</p> <p>R83 (h) disagree with the need for storage</p>	<p>R83 Matters of control. If limits are included in the matters of control, these need to be defined and included in the plan - particularly points 2 and 3.</p> <p>R90 split silage and compost into seperate rules.</p> <p>R90 (b) does not apply to silage - delete</p> <p>R90 (d) disagree</p>
<p>Rules - Discharges to land</p>	<p>Rules - Discharges to land</p>



**Rules - Wetlands and beds of lakes and rivers**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rules - Wetlands and beds of lakes and rivers	R115 general agreement except (h) (iv)	The culvert size should reflect the flow rate rather than the bed width, this is covered in R115 (k) (i) & (ii).	Delete R115 (h) (iv)
Rules - Wetlands and beds of lakes and rivers	R121 (g) needs to allow the appropriate method of aquatic weed removal	The specified method is one of many options, the rule should allow the operator to select the best tool for the job. Rule R121 (h) covers the return of native species to the drain	Delete R121 (g) as (h) covers the required outcome.
Rules - Wetlands and beds of lakes and rivers	R121 (h) is too restrictive in the time frame	Drains are there primarily to remove surplus water (surface and ground water), the cleaning is expensive and needs to be carried out a quickly and efficiently as possible. It would be more practical for operators to do this at their schedule breaks.	Change R121 (h) All reasonable steps shall be taken to return any stranded native fish back into the drain
Rules - Wetlands and beds of lakes and rivers	R121 (j) completely impractical	This won't work. Drains are there primarily to remove surplus water. If not cleaned correctly they will not work as drains when needed. M14 needs to develop practical best practice for drain cleaning.	Delete R121 (j) and refer to reworded M14
Rules - Wetlands and beds of lakes and rivers	R121 (k) is a reversal from the draft	Drain cleaning operators report that starting at the bottom is best because it allows better grade, depth and width control. If starting from upstream and working down water builds up pushing weed in front of it making the cleaning more difficult and time consuming.	Delete R121 (k) and refer to reworded M14
Rules - Wetlands and beds of lakes and rivers	R122 the same considerations should be applied to this rule as for R121 above		Delete R122 (h) & (i) and (j) extend to two hours

Rules - Wetlands and beds of lakes and rivers Should R121 be replaced by rule 17-20 from One Plan?

**Rules - Water allocation**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

			Correct reference
Rules - Water allocation	R136 the note refers to Section 14(1)(b) or the RMA, is this Sec 14(3)(b) &(e)?		
Rules - Water allocation	R136 (a) there needs to be a bigger allowance for larger properties.	Our property is 275 ha with 4 dwellings and under the rule are restricted to 20 cubic meters	Add another step for properties above 40ha allow an additional 2 cubic meters per 10 hectares
Rules - Water allocation	R137 needs to recognise the water availability for food processing and hygiene	MPI requires a set cleaning requirement of plant and premises	
Rules - Water allocation	R137 (b) this should not have a time frame	Restricts and complicates the process of determining a permitted activity.	Delete "during the three years prior.... Plan (31.07.2015) and add " in that year as determined by Rule 83.
Rules - Water allocation	R137 (f) all washdown water by its use is contaminated	Doesn't make sense	Change "washdown" to "cooling"
Rules - Water allocation	R143 needs to be permitted	Needs to allow for dynamic water use	Change Controlled to permitted



Proposed Natural Resources Plan:

Submitter:

**Java Trust Limited**

Submitter Number:

**S120**





**SUBMISSION # 13**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Rule 105 planting and pest control in wetlands.

The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. Java agrees with the intent of the rule but the rule fails to recognise that the dwelling and associated garden on Java's property may be controlled inadvertently by the rule. For example, the lawn goes to the edge of the oxbow and it is mown by a ride-on mower. There are exotic plants in the garden. Native plants are used exclusively around the rest of the oxbow.
4. The removal of plants should not be restricted to removing *appropriate pest plant species*. For example, it may be appropriate to remove non-pest plant species. It is unclear what is an *appropriate pest plant*.
5. Limiting people to using *only hand-held machinery* is impractical and unreasonable. For example, willows which are a pest plant can be very large trees so large machines are required to remove them. Those caring for wetlands will not use machines which would damage the wetland. Conversely it will be damaging to the wetland if the willows are not removed.

Java seeks the following relief;

1. Delete Rule 105.
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;

A handwritten signature in black ink, appearing to read "Gina", is written over a horizontal line.

**SUBMISSION # 10**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

**Java Trust Limited**  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnzi@gmail.com](mailto:jdlynchnzi@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

**This submission is in relation to the following provision in the PNRP and all related provisions;**

1. 4.6.2, on page 60, Policy 40; Ecosystems and habitats with significant indigenous biodiversity value.
2. 4.6.2, on page 60 Policy 41; Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity value.
3. Schedule F3 significant wetlands; the inclusion of Taumata Oxbow.

**The reasons for this submission include;**

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. Java's goal is to restore and maintain the part of the Taumata Oxbow on its property.
4. Java and its agents have invested substantial time and resources to achieve this goal but more needs to be done.
5. The Taumata Oxbow is not "natural" given that large areas have been excavated.
6. The Taumata Oxbow is situated in a highly modified area surrounded by farms and the climate has been modified by global warming which is a significant threat to wetlands, especially oxbows.
7. The Taumata Oxbow is flooded by silt-laden water from the Ruamahanga and Waiohine Rivers which results in sedimentation. The PNRP as notified requires protection of the

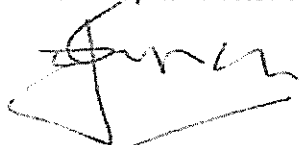
sedimentation which is itself an adverse effect of flooding caused in part by modification of the environment up-river.

8. The Taumata Oxbow has been and still is to a material degree infested with exotic willows. Evapo-transpiration depletes the water in the oxbow. The willow weedmat clogs up the wetland. The willows need to be removed. The PNRP as notified requires protection of the exotic willows which have serious adverse effects on wetlands.
9. The Taumata Oxbow is not pristine. To maintain its values it requires clearing of willows to allow natives to be planted, removal of sedimentation and maintenance all of which will result in adverse environmental effects to some degree and for a time.
10. The restrictive provisions in the PNRP will have unintended adverse environmental effects on the oxbow and other wetlands.
11. Taumata Oxbow should be removed from Schedule F3 because it is not natural and to allow it to be properly maintained.
12. The PNRP fails to duly recognise that the owners of wetlands are committed to maintaining and enhancing them for future generations. The PNRP is based on the opposite premise and places obstacles in the way of those committed to wetlands and it discourages people from looking after them.

**Java seeks the following relief;**

1. Delete P40 and P41.
2. Delete Taumata Oxbow from Schedule F3.
3. Amend all related provisions accordingly.
4. All incidental and consequential amendments.

**Signed for Java by its director on 24 September 2015;**

A handwritten signature in black ink, appearing to be 'G. Jones', written over a rectangular box that serves as a signature line.

**SUBMISSION # 6**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Objective 23 "Water Quality" on p39.

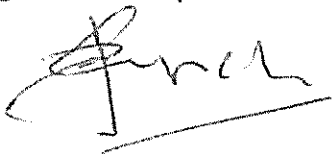
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. NPSFM requires "overall" maintenance and improvement of water quality.
4. It is appropriate to include the word "overall" in O23.

Java seeks the following relief;

1. Amend O23 so the overall quality of water is maintained and improved.
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;





**SUBMISSION # 2**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 2.2 on p18 "Artificial farm drainage canal";
2. 2.2 on p22 "Drain";
3. Rule 121 Maintenance of Drains;
4. All provisions relating to Artificial farm drainage canals and drains.

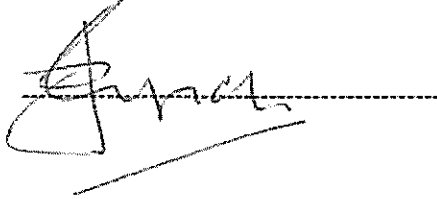
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. The provisions relating to artificial farm drainage canals and drains are too complex and confusing;
4. Drains and canals have to be cleaned and cleared to operate properly, including by removing vegetation and sediment which builds up;
5. The requirement to use a weed bucket when a drain is dry is unjustifiable, inefficient and unreasonable;
6. The requirement to clear only part of a drain at a time after 31 July 2017 is impractical, inefficient, unjustifiable and unreasonable.

Java seeks the following relief;

1. Amend the PNRP so cleaning and clearing of artificial farm drainage canals and drains is a permitted activity without restrictions at all times;
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;





**SUBMISSION # 14**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Rule 108 Non-complying activities in wetlands including;
  - a. *(a)....damming or diverting water into, within, or from the natural wetland;*
  - b. *(b) Land disturbance including excavation and deposition;*
2. The failure to adequately provide for existing pipes, diversions of water, drains, artificial farm canals and similar works as permitted activities.

The reasons for this submission include;

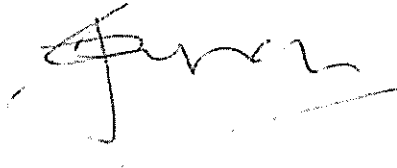
1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. There are existing pipes/channels/canals connecting the Taumata Oxbow and the Ruamahanga. Ruamahanga floodwater enters the oxbow via the pipes, canals and channels. This is beneficial for the oxbow.
4. There is an existing small weir to try to maintain the water level in the oxbow and this is beneficial for the oxbow.
5. Until recently Waiohine floodwater has often flowed into the Taumata Oxbow but GWRC's decision not to maintain a stopbank means this no longer occurs and the loss of this water is detrimental to the oxbow. Diversion of water from the Waiohine into the Taumata Oxbow would benefit the oxbow and it is a project under consideration.
6. Land disturbance can be required to carry out works beneficial to the wetland and planting.

7. The non-complying status is a one size fits all approach which will not provide duly for existing and future works and activities.

Java seeks the following relief;

1. Delete Rule 108.
2. Include a rule providing that all existing pipes, channels, canals and weirs within and outside wetlands are permitted and not subject to conditions.
3. Amend all related provisions accordingly;
4. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;

A handwritten signature in black ink, appearing to be 'J. M. ...', written over a horizontal line.

**SUBMISSION # 9**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Policy 8 on p51 Beneficial activities; *(h) maintenance and use of existing structures in the coastal marine area and natural wetlands and the beds of rivers and lakes.*

The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. Policy 8(h) is helpful but it is limited to structures which is too restricted.
4. Policy 8(h) should also recognise and provide for all existing activities, pipes, drains, artificial farm canals, weirs, fences, other works and gardens.
5. Java's property has pipes, canals and drains which are essential for maintaining the property, including the wetland.
6. The dwelling on Java's property is part of the original farm and probably first erected well over 100 years ago. The associated garden and lawn may be in the identified wetland area.

Java seeks the following relief;

1. Amend Policy 8(h) so it is not limited to structures but applies to all existing pipes, artificial farm canals, drains, weirs, fences, gardens and other works.
2. Provide for all such activities as permitted activities not subject to conditions.
3. Amend all related provisions accordingly;

4. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;

A handwritten signature in black ink, appearing to read "Gina", is written over a horizontal line. The signature is stylized and cursive.

**SUBMISSION # 5**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 2.2 on p26 "Natural lake";
2. 2.2 on p27 "Natural wetland";

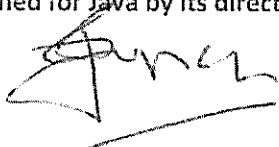
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. "Natural lake" as defined may be part of a wetland;
4. "Natural wetland" may include a lake;
5. A water body should be in only one of those definitions and not both which would be confusing;
6. The Taumata Oxbow should be identified as a wetland only.

Java seeks the following relief;

1. Amend the definition of "Natural lake" so it excludes water bodies which are part of wetlands;
2. Amend the definition of "Natural wetland" so it excludes lakes;
3. Amend all related provisions accordingly;
4. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;





**SUBMISSION # 1**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN.**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 2.1.6 (p16) Maps (Chapt 13) for indicative purposes only.
2. Map of Taumata Oxbow.
3. Schedule F3 Taumata Oxbow's references.

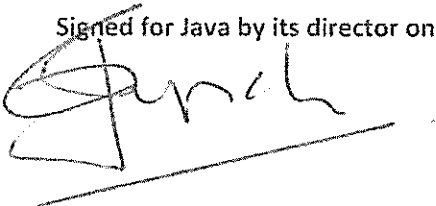
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow listed in Schedule F3 which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to and maybe partly within the scheduled Taumata Oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too rigid and unrealistic.
3. The Taumata Oxbow is not sufficiently clearly identified in a way which is readily accessible.
4. The area identified as the Taumata Oxbow exceeds the area of the oxbow and includes areas used for other purposes.

Java seeks the following relief;

1. Identify the Taumata Oxbow on a printed map;
2. Amend the area identified as the Taumata Oxbow by excluding areas used for the dwelling, its garden and for farming.
3. Amend all related provisions accordingly;
4. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015







**SUBMISSION # 12**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlvnchnz@gmail.com](mailto:jdlvnchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Rule 94 5m set-back for cultivation and no sediment-laden surface water resulting from cultivation to enter a surface water body.

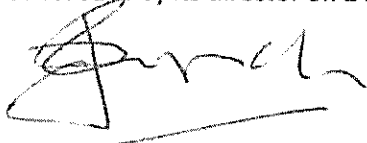
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. The 5m set-back is excessive, especially on Java's property which has long water frontages.
4. It is impracticable and unreasonable to expect people to ensure that sediment-laden water does not enter a surface water body. For example, Java grows maize which is in the ground for about 6 months and during that time some sediment-laden water might enter surface water if there is very heavy rain.

Java seeks the following relief;

1. Delete Rule 94.
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;





**SUBMISSION #11**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlvncbz@email.com](mailto:jdlvncbz@email.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 4.8.8, Policy P95; Discharges to land on p39.

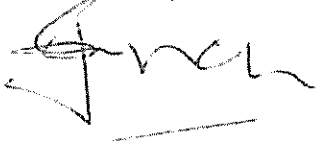
The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. Discharges to land need to be controlled, but parts of P95 are impractical, including;
  - a. *(c) not exceeding the natural capacity of the soil to treat, use or remove the contaminant;*
  - b. *(d) not exceeding the available capacity of the soil to absorb and infiltrate the discharge;*
  - c. *(f) not resulting in a discharge which enters water.*
4. In an ideal world all fertiliser applied to land would be used by plants but such precision is not possible. Conditions vary; e.g. if it rains after applying fertiliser then it is likely some will be washed away.

Java seeks the following relief;

1. Delete P95(c), (d) and (f).
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;





**SUBMISSION # 7**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. Objective 24 "Water Quality" on p39.


The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. "Contact recreation" sets a standard which is inappropriately high.
4. The requirement for natural wetlands and other water bodies to be suitable for Maori customary use is inappropriate and unjustifiable when there is no such use of a particular water body such as the Taumata Oxbow.
5. Omission of the word "overall" in the NPSFM is inappropriate and unreasonable.

Java seeks the following relief;

1. Delete O24.
2. Amend all related provisions accordingly;
3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;



**SUBMISSION # 8**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 3.10, Objective 44 on page 46 Land Use; *The adverse effects on soil and water from land use activities are minimised.*
2. 4.1, Policy P4 Minimising adverse effects.
3. 4.8.2 on page 68, Discharges to water, Policy P67; Minimising effects of discharges.

The reasons for this submission include;


1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. O44 that effects are minimised is extreme, unreasonable and unjustifiable.
4. P4 provides that *minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include....* and those provisions are extreme, unreasonable and unjustifiable.
5. P67 provides for control of discharges to water and while Java supports controls to have good water quality, the requirement to *minimise* will have serious unintended consequences.

Java seeks the following relief;

1. Delete O4, P4 and P67.
2. Amend all related provisions accordingly.

3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;

A handwritten signature in black ink, appearing to be 'F. J. ...', written over a horizontal line.

**SUBMISSION # 4**  
**BY JAVA TRUST LIMITED**  
**ON GWRC'S**  
**PROPOSED NATURAL RESOURCES PLAN**

Java Trust Limited  
575 Waihakeke Road  
Carterton RD2, 5792  
(06) 370-3227  
[jdlynchnz@gmail.com](mailto:jdlynchnz@gmail.com)

Java Trust Limited ("Java") wishes to be heard in support of its submission.  
Java's address for service is P O Box 134, Greytown 5742.

This submission is in relation to the following provision in the PNRP and all related provisions;

1. 2.2 on p23 "Farm refuse dump";
2. 5.3.8 on p146 Farm refuse dumps a permitted activity subject to conditions;

The reasons for this submission include;

1. Java's property at 575 Waihakeke Road includes;
  - a. Part of the Taumata Oxbow which Java is actively maintaining and restoring;
  - b. A dwelling and its garden immediately adjacent to the oxbow;
  - c. Farmland used for cropping and grazing;
  - d. Long river/stream frontages;
  - e. Open and piped drains.
2. The provisions relating to this submission are;
  - a. Inconsistent with the purpose of sustainable management of natural and physical resources;
  - b. Contrary to good resource management theory and practice;
  - c. Fail to appropriately provide for wetlands, a dwelling and farming to co-exist on the same property;
  - d. Too complex, rigid and unrealistic.
3. Farm refuse dumps are an essential part of operating a farm in a reasonable manner;
4. Farms and farmhouses generate waste which it is appropriate to dump and burn, including wood from tree maintenance, animal carcasses and household waste;
5. All of Java's property is prone to flooding but waste still needs to be put somewhere and burnt;
6. 50m limit from a water body is excessive;
7. The provisions fail to recognise the practicalities of farming and are excessive.

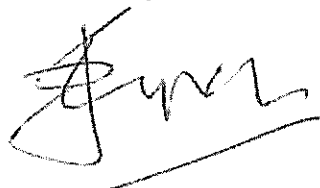
Java seeks the following relief;

1. Amend the PNRP so farm refuse dumps are a permitted activity without restrictions or conditions;
2. Amend all related provisions accordingly;



3. All incidental and consequential amendments.

Signed for Java by its director on 24 September 2015;

A handwritten signature in black ink, appearing to be 'J. M. L.', written over a horizontal line.

Proposed Natural Resources Plan:

Submitter:

**CentrePort Limited (CentrePort)**

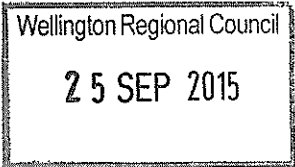
Submitter Number:

**S121**



By email

25 September 2015



Natural Resources Plan

Freepost 3156

Greater Wellington Regional Council

PO Box 11646

**Wellington 6142**

By e-mail: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Dear Sir/Madam

Proposed Natural Resources Plan for the Wellington Region – Submission Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

CentrePort Wellington Limited (CPL) welcomes the opportunity to provide a formal submission on the Proposed Natural Resources Plan (PNRP). A separate submission will be made by CentrePort Properties Limited (a subsidiary of CentrePort that manages its commercial property assets).

CPL operates as a port company under the Port Companies Act 1988. That Act establishes CPL's principal objective being to 'operate as a successful business'.

CPL is the third largest port in New Zealand in terms of cargo throughput and one of the Wellington region's largest economic generators, supporting \$2 billion of GDP impact.

CPL is critical to serving the long term freight transport needs of central New Zealand. With central New Zealand freight volumes projected to grow by 49% over the next 30 years, CPL is working to ensure central New Zealand maintains direct access to international markets. It is doing this by ensuring efficient and effective port operations and infrastructure, cost effective freight transport options to and from the port (e.g. CentreRail) and by ensuring shipping channels in Wellington Harbour are sufficiently deep to accommodate larger ships in the future.

CPL owns and manages port infrastructure assets located within Wellington Harbour at Thorndon, Seaview and Miramar. By their nature, these assets are located on the coast (including within the Coastal Marine Area), and provide a unique coastal setting within these urban areas and within the wider region. It is critical that the port can continue to maintain and develop its assets and services in order to provide safe, efficient and effective services to its customers.

It is also important that the port can meet a broad range of legislative and other regulatory requirements, in particular as a workplace and as an 'international gateway'. In this regard, the requirements of the Health and Safety in Employment Act 1992, the Maritime Security Act (and Regulations) 2004, the Health Act 1956 (public health) and the Biosecurity Act 1993 are key examples.

As a provider of significant regional transport infrastructure, CPL also has an important role in the city and region's civil defence preparedness and response management. Ensuring port assets are

By email

resilient and functional at times of emergency is an important consideration when developing and managing those assets.

CPL acknowledges the value of natural resources in the region, in particular Wellington Harbour. CPL is committed to ensuring any adverse effects of port activities on those resources and associated communities, including mana whenua iwi, are minimised.

**NAME OF SUBMITTER:** CentrePort Limited (CentrePort)

**ADDRESS FOR SERVICE:** Hinemoa Street  
PO BOX 794  
**WELLINGTON 6140**  
Attention: William Woods  
Ph: 04 495 3858 or 021619 155  
Email: [William.woods@centreport.co.nz](mailto:William.woods@centreport.co.nz)

#### **Electronic Communication**

CentrePort prefers to receive information about the Proposed Natural Resource Plan via email. Can all communication please be emailed to [William.woods@centreport.co.nz](mailto:William.woods@centreport.co.nz) and cc'd to [lindsay@incite.co.nz](mailto:lindsay@incite.co.nz)

#### **Trade Competition**

CentrePort could not gain an advantage in trade competition through this submission.

#### **Submission on the Proposed Plan Provisions**

CentrePorts' submissions on the Proposed Natural Resources Plan are set out in the attached table.

**In relation to the matters raised, CentrePort seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.**

#### **Attendance and Wish to be heard at Hearings**

CentrePort wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington Regional Council staff prior to the hearings themselves.

Thank you again for the opportunity to submit on the PNRP.

If there are any issues of clarification required please contact the undersigned.

Yours sincerely

William Woods  
Planning and Environmental Manager  
CentrePort

25 September 2015

By email

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
<b>Section 1 Introduction:</b>			
1. 1.1 Overview of the Wellington Region	Support	CentrePort supports the recognition given to Wellington Harbour as the location of an important New Zealand port.	Retain provision in its current form.
2. 1.6 Values of water in the Plan	Support	CentrePort supports the inclusion of 'transportation and navigation' under <i>Use values – direct</i> in <i>Table 1.1</i> .	Retain provision in its current form.
<b>Section 2.2 Definitions</b>			
3. Commercial Port Area	Support with Clarification	This is defined as " <i>The areas shown on Map 32, Map 33 and Map 34 (unless otherwise specified)</i> "; It is unclear what " <i>unless otherwise specified</i> " means but it could create ambiguity.	Amend to provide clarification as to what other Maps define or link to the Commercial Port Area.
4. Common Marine and Coastal Area	Support with Clarification	CentrePort notes that the PNRP promotes the integrated management of a coastal marine area and related parts of the coastal environment, as per section 64(2) RMA. While noting the proposed definition is taken from the Marine and Coastal Area (Takutai Moana) Act 2011, the proposed definition for the purposes of the PNRP is unhelpful in that it only excludes specific areas without any certainty for where the PNRP provisions apply. This will cause significant confusion and interpretation issues for both plan users and the regulator. It is noted the illustration in Figure 1.3 illustrates the Regional Coastal Plan as on the mean high water mark (not the wider environment). CentrePort operates in and adjacent to the coastal environment and therefore certainty is paramount when determining consent requirements.	Provide clarification as to the extent of application of the Coastal Plan provisions, specifically in relation to whether the wider environment is included, to enable certainty.
5. Earthworks	Support	CentrePort supports the definition of Earthworks and notes that it specifically excludes cable or pipe laying and maintenance.	Retain this definition in its current form.
6. Functional Need	Support	As a port operator it is important to CentrePort that the term functional need is defined as Port activities require a location within and adjoining the Coastal Marine Area.	Retain this definition in its current form.
7. Hard Engineering	Support	CentrePort supports this definition but notes that the use of hard engineering methods in a Port environment is appropriate. Hard engineering is often the only method available to maintain, repair, operate and upgrade regionally significant port infrastructure in relation to where it adjoins the Coastal Marine Area.	Retain this definition in its current form.

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
8.	High Hazard Area	Support with Clarification	CentrePort considers that identifying the whole of the Coastal Marine Area including the Commercial Port Area as a high hazard area is uncertain.	Provide clarification as to why the Coastal Marine Area is defined as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.
9.	Māori Customary Use	Oppose in part	CentrePort considers that the term Māori Customary Use is too broadly defined. As CentrePort's activities are partly located in the Coastal Marine Area, clarity is needed as to the activities that constitute Māori Customary use.	The definition of Māori Customary Use to be further refined to provide clarity as to the activities that fall within the term.
10.	Mobile sources	Support	CentrePort supports the definition with the inclusion of 'port mobile plant' as a mobile source that discharges contaminants.	Retain definition in its current form.
11.	Operational Requirement	Support	It is appropriate that operational requirements are defined as Port activities and infrastructure have operational requirements in order for the activity to function safely and efficiently.	Retain this definition in its current form.
12.	Port Noise Control Line	Support	CentrePort supports the definition of the Port Noise Control Line as it relates to both where the emission of port related activities applies and where port noise is monitored.	Retain this definition in its current form.
13.	Port Related Activities	Support with amendment	CentrePort generally supports the definition of Port related activities in the Proposed Natural Resources Plan because it is appropriate to separately identify port related activities in the policy and rule frameworks.  Definition would be improved by the addition of the words "other structures" after the word "buildings" as some port activities are not within buildings such as the berthing structures and wharves which are not buildings, equipment or machinery.	Amend definition as follows.  <i>Activities within the Commercial Port Area, the Lambton Harbour Area and on the adjacent land within the district including, but not limited to, the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, other structures, machinery and equipment used in connection with the port or its administration.</i>
14.	Reclamation	Support	CentrePort supports the definition of Reclamation in the Proposed Natural Resources Plan so it is clear to all users of the Plan that it means the creation of dry land.	Retain this definition in its current form.
15.	Regionally Significant Infrastructure	Support	CentrePort supports the definition of Regionally Significant Infrastructure in the Proposed Natural Resources Plan because it is appropriate to include reference to the Commercial Port Area.	Retain this definition in its current form.
16.	Reverse	Support	CentrePort supports the definition of Reverse Sensitivity	Retain this definition in its current form.

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	Sensitivity		in the Proposed Natural Resources Plan because it is appropriate to recognise the potential vulnerability of existing lawfully-established port activities to other activities in the vicinity which may be sensitive to adverse environmental effects.	
17.	Sensitive activity*	Support	CentrePort supports the definition of Sensitive activity in the Proposed Natural Resources Plan because it is an inclusive definition capturing all activities which suffer should they experience adverse effects typically associated with some lawful activities.	Retain this definition in its current form.
18.	Temporary structure	Support with amendment	CentrePort considers that there should be an exclusion relating to the temporary structures in the Commercial Port area within the definition as there may be potential impacts upon port operations and maintenance of port assets.	Amend the definition as follows:  A structure in the coastal marine area <u>outside of the Commercial Port Area</u> which is not in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal
<b>Chapter 3. Objectives</b>				
19.	Ki uta ki tai: Mountains to the sea Objective O5	Support with amendment and clarification	The definition of Māori customary use appears to include all cultural and spiritual considerations. There is uncertainty about what impact this will have on future development in the coastal marine area.  CentrePort is also unsure in relation to the objective as to what "safeguarding aquatic ecosystem health and Mahinga Kai" means in this context. A literal definition of safeguard could mean absolute protection.  In addition clause b) is an issue for CentrePort where contact recreation and Māori Customary use is prohibited or at least actively discouraged within the Commercial Port Area.	1. CentrePort seeks clarification on what the required consideration of safeguarding aquatic ecosystem health and Mahinga kai are.  2. The objective could be clarified as follows: Add 'where appropriate' at the start of O5 (b).  Fresh water bodies and the coastal marine area, as-a-minimum, <u>where appropriate</u> , are managed to:  (a) safeguard aquatic ecosystem health and mahinga kai, and  (b) provide for contact recreation and Māori customary use, and
20.	Beneficial use and development Objective O9	Support with amendment	CentrePort considers that the recreational values of the coastal marine area should be maintained and enhanced "where appropriate" as this will not be everywhere in the coastal marine area specifically the Commercial Port Area.	Amend Objective 9 as follows;  The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced <u>where appropriate</u> .



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21.	Beneficial use and development Objective O10	Support with amendment	CentrePort, for reasons of safety, security and biosecurity, does not support "maintaining and enhancing" public access in the Commercial Port Area.	Amend Objective 10 as follows: Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u> .
22.	Beneficial use and development Objective O11	Amend	The definition of Māori customary use appears to include all cultural and spiritual considerations. There is uncertainty about what impact this will have on future development in the coastal marine area and opportunities for Māori customary use of the coastal marine area for cultural purposes should only occur where appropriate. For example, not in the Commercial Port Area.  CentrePort therefore seeks amendment of the objective so opportunities for Māori customary use of the coastal marine area for cultural purposes are recognised, maintained and improved where this is appropriate.	Amend Objective 11 as follows; Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u> .
23.	Beneficial use and development Objective O12	Support	CentrePort supports the objective that the social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	Retain this objective in its current form.
24.	Beneficial use and development Objective O13	Support	CentrePort supports the objective that the use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	Retain this objective in its current form.
25.	Natural Character Form and Function: Objective O19	Support with amendment	CentrePort considers that the use of the word interference within the objective is not appropriate. Interference, such as appropriate dredging, reclamations or protecting regionally significant infrastructure, may interfere with natural processes, but there could be a functional and operation need and it could be acceptable from an effects perspective.	Amend Objective O19 as follows: The interference <u>adverse effects</u> from use and development on natural processes is <u>minimised, avoided, remedied or mitigated</u> .
26.	Natural Character	Support with	It is noted that high hazard areas are defined as	Provide clarification as to why the Coastal Marine Area is defined

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	Form and Function: Objective O21	clarification	including the whole Coastal Marine Area. While understanding the objective, particularly the use of the term "inappropriate use and development, the blanket inclusion of all of the CMA as a high hazard area is questioned.	as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.
27.	Natural character, form and function Objective O22	Oppose	CentrePort opposes this objective as there is no recognition made of the importance of being able to maintain, repair or upgrade Regionally Significant Infrastructure from Natural Hazards where hard engineering mitigation and protection methods solutions can be the only practicable and feasible option particularly in a coastal environment.	Amend Objective 22 as follows:  Hard engineering mitigation and protection methods are only used as a last practicable option <u>unless there is a functional need or operational requirement.</u>
28.	Water Quality Objective O24	Support with amendment	Coastal water within the Commercial Port Area is not an appropriate location for primary contact recreation and Maori customary use for safety and security reasons. An exclusion of the Commercial Port area is considered appropriate from the Objective.	Amend Objective 24 as follows:  Rivers, lakes, natural wetlands and coastal water <b>(excluding the Commercial Port Area)</b> are suitable for contact recreation and Maori customary use, by:  .....
29.	Biodiversity, aquatic ecosystem health and mahinga kai Objective O29	Support with amendments	CentrePort supports the intent of the objective but the wording could be improved to provide greater clarity. As currently drafted it could be read that fish passage in all existing situations does not exist. In addition there could be circumstances where restoration cannot be achieved and that should be recognised.	Amend Objective 29 as follows:  <del>Use and development provides for the passage of fish and keura; and the passage of indigenous fish and keura is restored.</del>  <u>Use and development provides for the passage of fish and koura, and if appropriate restored if passage of fish and koura is not currently provided.</u>
30.	Sites with significant values Objective O33	Support with amendment	The intent of the policy is supported however CentrePort considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Amend Objective 33  Sites with significant mana whenua values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>
31.	Sites with significant values Objective O35	Support with amendment	The intent of the policy is supported however CentrePort considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Ecosystems and habitats with significant indigenous biodiversity values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>

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32.	Sites with significant values Objective O37	Support with clarification	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Further clarity as to the nature of potential adverse effects and measurement of these and how the policy would be applied in practice.
33.	Discharges Objective O48	Support	CentrePort supports the management of adverse quality and quantity effects of discharges from the networks to be improved over time.	Retain Objective O48 in its current form.
34.	Coastal Management Objective O53	Support	CentrePort considers that use and development in the coastal marine area is appropriately focused on whether there is a functional need and operational requirement to be locate there.	Retain Objective O53 in its current form.
35.	Coastal Management Objective O55	Support with amendment	CentrePort supports the objective as worded with the requirement to 'recognise' the need for public open space however as stated previously there are operational safety, security and biosecurity reasons for excluding public access and public open space from much of the Commercial Port Area. The Objective should be amended to reflect the inappropriateness of public access to the Port.	Amend Objective O55 as follows. The need for <u>appropriately located</u> public open space in the coastal marine area is recognised
36.	Coastal Management Objective O56	Support with amendment	CentrePort considers that this Objective could be enhanced by recognising that it is not just compatibility with the location but also the function of new development.	Amend Objective O56 New development in the coastal marine area is of a scale, density and design that is compatible <u>with its function and</u> its location in the coastal environment.
37.	Coastal Management Objective O58	Support	CentrePort considers that managing noise including underwater noise through this Objective is appropriate.	Retain Objective O58 in its current form.
38.	Coastal Management Objective O59	Support	The efficient and safe passage of vessels that support the movement of people, goods and services is supported.	Retain Objective O58 in its current form.
<b>Chapter 4. Policies</b>				
39.	Ki uta ki tai and integrated catchment management Policy P3	Support with Amendment	Reference to the precautionary approach needs to be limited to the situation where there is both an absence of information and the potential for significant adverse effects- i.e. the way that the NZ Coastal Policy Statement Policy 3 uses that concept. It should not be framed as a blanket requirement for caution wherever	Amend Policy P3 to read: <del>Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the adverse effects the activity may have on this environment.</del>

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			<p>the nature and scale of effects cannot be predicted with complete certainty (which in the natural environment, is on virtually every occasion) and should allow for measured development matching the scale of risk in the circumstances.</p>	<p><b>A precautionary approach to the management of the nature, scale and speed of use and development shall be used where there is limited information available and the potential for significant adverse effects.</b></p>
40.	Ki uta ki tai integrated catchment management Policy P4	Support with amendment	<p>CentrePort considers that the policy could be improved by making it clear that "the smallest amount practicable" is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.</p> <p>In addition clause (b) would be improved by adding the words "if practicable" noting that for functional requirements and operational need it may not be always possible to locate an activity away from identified areas.</p>	<p>Amend Policy P4 as follows:</p> <p>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <b>having regard to the nature and objectives of the activity</b> and shall include:...."</p> <p><b>(b) if practicable considering the nature and objectives of the activity</b> locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and ...</p>
41.	Beneficial use and development Policy P7	Support	<p>CentrePort supports the inclusion of this policy as worded with specific reference to recognising the benefits of using land and water for transport along, and access, to water bodies.</p>	<p>Retain Policy P7 in its current form.</p>
42.	Beneficial use and development Policy P8	Support with amendment	<p>CentrePort considers that the Policy should be amended to add "upgrade" to recognise that it is not only maintenance and use but also upgrading structures.</p>	<p>Amend Policy P8 as follows:</p> <p>h) maintenance, use and <u>upgrading</u> of existing structures in the coastal marine area, <b>natural wetlands</b> and the beds of rivers and lakes, and</p>
43.	Beneficial use and development Policy P9	Support with amendment	<p>CentrePort supports the intent of the policy but:</p> <ul style="list-style-type: none"> <li>• There should be recognition of the need for safety, security, and <b>biosecurity</b> requirements of regionally significant infrastructure, particularly around port requirements.</li> <li>• In relation to the end sentence of the policy mitigation or offset outside of land owned, (by in this case CentrePort), is difficult to enforce and may not be practicable. Therefore if CentrePort was to develop, and public access was to be restricted, there would potentially be no actual</li> </ul>	<p>Amend Policy 9 as follows</p> <p>Reduction in the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers shall be avoided except where it is necessary to:</p> <p>(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous</p>

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		<p>means of achieving that mitigation/offset based on public safety and limited land holdings.</p>	<p>biodiversity), or</p> <p>(b) protect public health, and safety, <b>security and biosecurity</b>, or</p> <p>(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and</p> <p>with respect to (a), (b) and (c), where it is necessary to permanently restrict or remove existing public access, and <b>where practicable and achievable and considering the nature of the activity</b>, the loss of public access shall be mitigated <del>or</del><b>offset</b> by providing enhanced public access at a similar or nearby location <b>or offset</b>.</p>
44. Beneficial use and development Policy P10	Support with Amendment	CentrePort supports the intent of the Policy but considers specific reference to "safe" contact and passive recreation should be included.	<p>Amend Policy P10 as follows:</p> <p>(b) managing activities to maintain or enhance <b>safe</b> contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and</p> <p>(d) providing for the <b>safe</b> passive recreation and amenity values of fresh water bodies and the coastal marine area.</p>
45. Beneficial use and	Support with	CentrePort supports the intent of the policy in	Amend Policy P12 as follows:

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	development Policy P12	Amendment	recognising the benefits of regionally significant infrastructure but considers specific reference to both port activities and infrastructure should be given.	(d) the functional need for port activities and infrastructure to be located within the coastal marine area, and
46.	Beneficial use and development P13	Support	CentrePort supports the policy as worded in providing recognition of the use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities as beneficial and generally appropriate.	Retain Policy P13 in its current form.
47.	Beneficial use and development Policy P14	Support	CentrePort supports the policy as it recognises the reverse sensitivity effects of new incompatible use and development upon regionally significant infrastructure.	Retain Policy P14 in its current form.
48.	Estuaries and harbours Policy P22	Support with Amendment	CentrePort supports the intent of the Policy but it considers that the wording is too restrictive in relation to appropriate use and development. As has been stated the Kaiwharawhara Stream estuary is scheduled in F4 as a Coastal Site and it is also located in the Commercial Port Area.  The policy would be improved by removal of the word 'significant' and the inclusion of 'remedied or mitigated' to make the policy less avoidance focused.	Amend Policy P22 as follows:  <b>Significant</b> <del>Adverse</del> effects on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as a nursery for important fish stocks, shall be avoided, <b>remedied or mitigated</b> .
49.	Estuaries and harbours Policy P23		CentrePorts' assets are located within Wellington Harbour (Port Nicholson). Protection of those assets from coastal erosion is the key function and planting is not feasible or necessary. As such the words where appropriate should be added to clause (c).	Amend Policy P9 as follows:  The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:  (a) managing activities to reduce sedimentation rates and pollutant inputs, and  (b) managing erosion-prone land and riparian margins in their catchments, and  (c) <b>where appropriate</b> undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.

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50.	Natural Character Policy P24	Support with amendment	CentrePort is concerned with this Policy as no outstanding natural landscapes have been identified and the use of the word avoiding in the policy could amount to a prohibition on appropriate use and development in the coastal marine area.	<p>Amend Policy 24</p> <p>Areas of outstanding natural character in the coastal marine area will be preserved by:</p> <p>(a) <del>Protecting, avoiding adverse effects of activities on</del> natural character in areas of the coastal marine area with outstanding natural character <u>by avoiding inappropriate use and development</u>, and</p> <p>(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and</p> <p>(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and</p> <p>(d) maintaining the high levels of naturalness of these areas, and</p> <p>(e) <del>avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</del></p>
51.	Natural Hazards Policy P27 High Hazard Areas	Support with clarification	While the intent of the Policy is supported CentrePort considers that identifying the whole of the Coastal Marine Area including the Commercial Port Area as a high hazard area is uncertain. Hazard identification and management is a key part of the functional operations for CentrePort in light of its coastal location and the functional need for the Port to be located where it is.	Provide clarification as to why all of the Coastal Marine Area is defined as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.
52.	Natural Hazards Policy P28	Oppose	Hard engineering solutions are often the only practicable method of hazard mitigation for existing and potentially new Port facilities. A presumption to avoid hard engineering solutions is entirely inappropriate where there is a functional need and an operational requirement.	<p>Amend policy 28 as follows:</p> <p><b>Hard engineering</b> mitigation and protection methods shall be avoided except where</p> <p>(a) <b>there is a functional and operational need; or</b></p> <p>(b) <b>it is necessary to protect existing and planned future development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor</b></p>
53.	Biodiversity,	Support with	CentrePort is concerned about some of the terminology	Amend Policy P31(e) as follows

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	aquatic ecosystem health and mahinga kai Policy P31	amendment	<p>in the Policy as it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.</p> <p>Policy 32 which is supported with one exception sets in place a process of avoid first but if you can't then you use a cascade of remedy, then mitigate, then offset. This should be used here.</p>	<p>(e) <u>minimise manage in accordance with the process outlined in Policy 32</u> creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p>
54.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P32	Support with Amendment	CentrePort supports this policy but offsetting should not be restricted to biodiversity.	<p>Amend Policy P32 (d) as follows:</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of <b>biodiversity</b> offsets.</p>
55.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P33	Support with Amendment	CentrePort supports the intent of the policy however the use of the term avoid is an absolute. There could be a situation where there may be more than minor effects that could be remedied, mitigated or offset but not completely avoided.	<p>Amend Policy P33 as follows</p> <p>The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided, <b>remedied, mitigated or offset.</b></p>
56.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P34	Support with amendment	CentrePort is concerned about some of the terminology in the Policy as it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure	<p>Amend Policy P34 as follows:</p> <p><b>Manage in accordance with the process outlined in Policy 32</b> the construction or creation of new barriers to the passage of fish and koura species shall be avoided.</p>
57.	Sites with significant indigenous biodiversity values Policy P40	Support with Amendment	CentrePort supports the intent of the Policy but considers that there is a conflict between the Kaiwharawhara Stream estuary being listed in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area.	<p>Amend Policy P40 as follows:</p> <p><b>Protect—and—restore Manage the values</b> of the following ecosystems and habitats with significant indigenous biodiversity values:</p>
58.	Sites with significant indigenous biodiversity values Policy P41	Support with Amendment	CentrePort supports this policy but offsetting should not be restricted to biodiversity.	<p>Amend Policy P41 (d) as follows:</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of <b>biodiversity</b> offsets.</p>



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59.	Protection and restoration of sites with significant mana whenua values: Policy 44	Support with amendment	CentrePort supports this policy but has concerns in that it does not consider circumstances where use and development may be appropriate and / or necessary.	Amend Policy 44  Sites with significant mana whenua values identified in Schedule C ( <u>mana whenua</u> ) shall be protected <u>from inappropriate use and development</u> and/or restored.
60.	Sites with significant historic heritage value Policy P46	Support with amendment	CentrePort considers that this provision to manage adverse effects in sites with significant historic heritage values is generally appropriate, given that more than minor adverse effects on 'significant' historic heritage values are to be avoided, remedied or mitigated. However, the listed outcomes may unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites three of which are part of the Ports current facilities.	Amend Policy P46 so that the listed outcomes do not unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites.
61.	Sites with significant historic heritage value Policy P47	Support with amendment	CentrePort considers that an amendment to Policy P47 is required so that it does not preclude appropriate redevelopment where the structures are derelict and redundant.	Amend Policy P47 as follows  Demolition or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where the structure: <ul style="list-style-type: none"> <li>a. is substantially damaged by fire or natural hazard, and/or</li> <li>b. poses a significant risk to human safety, and</li> <li>c. it is not reasonably practicable to repair it, or</li> <li>d. <u>is derelict and has no on-going functional or economic use in its present state and/or configuration.</u></li> </ul>
62.	Natural Features and Landscapes and amenity landscapes Policy P48:	Support with amendment	Outstanding natural features and landscapes are not identified in the Plan. Given this Policy seeks avoidance and protection care should be taken.  In addition the policy uses the term 'avoid' as a bottom line, and incorporates both coastal and non-coastal areas. It is important that existing and future Regionally Significant Infrastructure are recognised and provided for.	Amend Policy P48 as follows:  The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by: <ul style="list-style-type: none"> <li>(a) <u>seeking to</u> avoiding adverse effects of activities on identified outstanding natural features and landscapes, and</li> <li>(b) <u>avoiding</u> significant adverse effects—and <u>avoiding</u>, remedying or mitigating other adverse effects of activities on natural features and landscapes</li> </ul>

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63.	Natural Features and landscapes and special amenity landscapes Policy P49	Support with amendment	CentrePort supports the intent of the policy however is concerned that it may not always be possible to entirely protect or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.	Amend Policy P49 as follows:  <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by seeking to:</i> <i>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i> <i>(b) avoiding adverse cumulative effects from inappropriate use and development on the values of an outstanding natural feature or landscape.</i>
64.	Natural Features and landscapes and special amenity landscapes Policy P50	Support with amendment	CentrePort supports the intent of the policy however is concerned that it may not always be possible to avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.	Amend Policy P50 as follows:  The significant adverse effects of use and development on the significant geological features identified in Schedule J (geological features) shall be avoided, <u>remedied or mitigated</u> .
65.	Natural Features and landscapes and special amenity landscapes Policy P51	Support with amendment	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.  CentrePort further considers it appropriate to amend the policy to avoid, remedy or mitigate adverse effects rather than to minimise.	1. Further clarity as to the nature of potential adverse effects and measurement of these and how the policy would be applied in practice; and 2. Amend Policy 51 as follows:  Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by <u>minimising avoiding, remedying or mitigating</u> the adverse effects on:  (a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and  (b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.
66.	Air quality Policy P60	Support	CentrePort supports the policy of managing adverse effects from fumigants beyond the boundary of the property through good management practices.  While CentrePort supports the concept of progressive	Retain Policy P60 in its current form.
67.	Stormwater Policy	Support with		Amend Policy P73 as follows:

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	73	amendment	improvements to stormwater quality the policy requires continual minimisation of adverse effects which may not in all circumstances be practicable to implement.	(d) <u>where practicable</u> progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade.
68.	Managing stormwater from large sites: Policy 78	Support with amendment	CentrePort supports the principle of the policy as it is in the process of formulating a process of minimising effects from Port associated stormwater discharges. The policy requires continual minimisation of adverse effects which may not in all circumstances be practicable to implement.	Amend Policy 78: The adverse effects of the discharge of stormwater from a port, airport or state highway, where the discharge will enter water shall be minimised by: (a) managing the discharge in order to minimise the adverse effects of stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use <b>where practicable and appropriate</b> , and (b) identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and (c) progressively implementing methods identified in (b), and (d) having particular regard to protecting sites with identified significant or outstanding values, and (e) implementing good management practice, including in accordance with Policy P73, and progressive improvement of discharge quality over time.
69.	Wastewater from vessels offshore installations and biofoul cleaning Policy P86	Support	CentrePort supports the Policy as worded, with specific reference to the discharge of wastewater containing human effluent from vessels.	Retain Policy P86 in its current form.
70.	Minimising adverse effects of wastewater discharges from vessels offshore installations Policy P87	Support	CentrePort supports the Policy as worded, with specific reference to the discharge of wastewater containing human effluent from vessels and offshore installations.	Retain Policy P87 in its current form.
71.	Wastewater from vessels and	Support	CentrePort supports the policy in principle but notes that in relation to biofouling there are practical implications of	Retain Policy P88 in its current form.

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	offshore installations and biofoul cleaning Policy P88		the associated rule.	
72.	Primary coastal policies Policy P132 Functional need and efficient use	Support	<p>CentrePort supports the policy from an operational perspective as it recognises regionally significant infrastructure as having a functional and operational need to be located in the coastal marine area.</p> <p>CentrePort also notes that clause (e) includes the words "where appropriate" in relation to public or multiple use. As has been stated in related parts of this submission public use of the Commercial Port area is not supported for safety, security and biosecurity reasons.</p>	Retain Policy 132 in its current form.
73.	Primary coastal policies Policy P133 Recreational values	Support with amendment	CentrePort supports this policy but considers it could be improved with the words "where practicable" noting the circumstances in the Commercial Port Area where there are many limitations on providing for recreational opportunities.	<p>Amend Policy P133 as follows:</p> <p>The adverse effects of use and development in the coastal marine area on recreational values shall be managed, <b>where practicable</b>, by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.</p>
74.	Primary Coastal Policy P135 Safe Passage	Support	Efficient and safe passage of vessels is supported by avoiding inappropriate use and development in navigation protection areas.	Retain Policy P135 in its current form.
75.	Primary Coastal Policy P136 Hutt Valley Aquifer zone in Wellington Harbour (Port Nicholson)	Support with amendment	CentrePort supports the intent of the Policy but considers the entire Harbour being within the Aquifer zone as outlined on Map 30 is excessive. This has unintended consequences for the operation of the Commercial Port Area even to the extent where maintenance dredging or repiling of wharf structures below 0.5 metre in depth of the seabed requires resource consent under the associated rule.	<p>Retain Policy P136 but amend Map 30 to exclude the Commercial Port Area; and</p> <p>Provide greater clarity after scientific investigation as to the areas of Wellington Harbour where the confined aquifer currently exists.</p>
76.	Primary coastal policies Policy P137 Airport height restrictions	Support with clarification sought	CentrePort has no objection in principle to the policy but has concerns with the lack of clarity in Map 50 and the related GIS information on <a href="http://mapping.gw.govt.nz">http://mapping.gw.govt.nz</a> . There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and	Provide greater clarity on height restrictions in Map 50 and the related GIS information on <a href="http://mapping.gw.govt.nz">http://mapping.gw.govt.nz</a>

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77.	Structures Policy P138 Structures in sites with significant values.	Support with amendment	potentially affected by the height restrictions. CentrePort supports the policy as worded with specific exclusion for new or additions to regionally significant infrastructure. However clause (e) would be improved by adding the word 'location' as well as "no practicable alternative method of providing for the activity".	<p>Amend Policy P138 as follows:</p> <p>New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where:</p> <p>(a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or</p> <p>(b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or</p> <p>(c) the structure will provide for navigational safety, or</p> <p>(d) it is necessary to enable the development, operation, maintenance and <b>upgrade of regionally significant infrastructure,</b></p> <p>and in respect of (a) to (d):</p> <p>(e) there are no practicable alternative <b>locations</b> <u>or</u> <u>methods</u> of providing for the activity.</p>
78.	Structures Policy P139 Seawalls	Support with Amendment	CentrePort supports the policy but it could be improved and clarified by minor amendments to the wording of clauses (c) and (d).	<p>Amend Policy P139 as follows:</p> <p>The construction of a new seawall is inappropriate except where</p>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
				<p>the seawall is required to protect:</p> <ul style="list-style-type: none"> <li>(a) existing, or <b>upgrades to, infrastructure, or</b></li> <li>(b) <b>new regionally significant infrastructure,</b> and in respect of (a) and (b):</li> <li>(c) there <u>is</u> <del>are</del> no reasonable or practicable alternative <u>means</u> <b>methods and locations,</b> and</li> <li>(d) suitably <del>located,</del> designed and certified by a qualified, professional engineer, and</li> <li>(e) designed to incorporate the use of <b>soft engineering options</b> where appropriate <b>and practicable.</b></li> </ul>
79.	Other activities in the coastal marine area Policy P143		CentrePort supports the policy as worded with specific exclusion to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure. As with previous policies this policy could be improved by including the word "location" in clause (g).	<p>Amend Policy P143 as follows:</p> <p>Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</p> <p>.....</p> <p>and in respect of (a) to (f):</p> <ul style="list-style-type: none"> <li>(g) there are no practicable alternative <b>locations</b> <u>or</u> methods of providing for the activity.</li> </ul>
80.	Other activities in the coastal marine area Policy P145 Reclamation, and drainage, and	Support	CentrePort supports the policy as worded with an exception to reclamation, drainage or destruction associated with the development, operation, maintenance and upgrade of regionally significant infrastructure.	Retain Policy P145 in its current form.

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
	destruction			
81.	Policy 149 Noise and lighting	Support	CentrePort supports the Policy as it relates to effects of noise and lighting.	Retain Policy 150 in its current form.
82.	Other activities in the coastal marine area Policy P151	Support	CentrePort supports Policy P151 with specific reference to minimising the adverse effects of underwater noise on the health and well-being of marine fauna and the health and amenity values of users of the coastal marine area.	Retain Policy P151 in its current form.
<b>Chapter 5 Rules</b>				
83.	Large scale combustion activities Rule R12	Support	CentrePort supports the rule as worded with provision for the discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in the event of the electricity network being disrupted through weather, accidents, or any unforeseen circumstances.	Retain Rule R12 in its current form.
84.	Chemical and metallurgical processes Rule R15	Support	Maintenance of port equipment (e.g. cranes) using spray coating techniques is essential to Port operations.	Retain Rule R15 in its current form.
85.	Dust generating activities Rule R26	Support	Maintenance of port equipment (e.g. cranes) using abrasive blasting techniques is essential to Port operations.	Retain Rule R26 in its current form.
86.	Dust generating activities New Rule	Support with amendment	CentrePort considers that there should be a new rule in addition to handling of aggregate (Rule R27) or cement storage (Rule 28) to provide for handling and storage of other dry or bulk products, including at the Port (similar to Rule 10 of current Air Quality Plan).	Provide for new rule as follows: <b>The sorting and storage of powdered or bulk products</b> The discharge of contaminants into air in connection with: (1) sorting, storage and conveying (including loading and unloading) of fertiliser, grains, berries, coal, coke, wood chips, sawdust, wood shavings, timber and logs, bark, sand, soda ash, aggregates, live animals and other bulk products (whether in solid or liquid form, other than hydrocarbons); the size reduction and screening of wood products and minerals;  is a Permitted Activity, provided it complies with the conditions below, and excluding discharges of contaminants to air arising from processes involving:  (a) the pneumatic conveying of bulk materials.  <b>Conditions</b>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
				<p>Permitted Activities shall comply with the following conditions:</p> <p>(i) For the area shown as the Operational Port Area, included within the Wellington City District Plan, any discharge shall not result in odour, dust, gas or vapour which is noxious, dangerous, offensive or objectionable to such an extent that it has, or is likely to have, an adverse effect on the environment outside the Operational Port Area; and</p> <p>(ii) For all other areas, any discharge shall not result in dust, odour, gas or vapour, which is noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.</p>
87.	Dust generating activities Rule R28	Support	CentrePort supports the rule in providing for the discharge of contaminants into air from the storage, handling, redistribution or packing of cement in fully enclosed silos and conveyance systems as a permitted activity.	Retain Rule R28 in its current form.
88.	Petroleum storage or transfer facilities Rule R32	Support	CentrePort supports the rule in providing for the discharge of contaminants into air from the storage, or transfer of petroleum and related products as a permitted activity.	Retain Rule R32 in its current form.
89.	Mobile Sources Rule 33	Support	CentrePort supports that the discharge of contaminants into air from a mobile source is a permitted activity.	Retain Rule 33 in its current form.
90.	Fumigation Rules R39 and R40	Support	CentrePort supports rules R39 and R40 in providing for the use of fumigants as permitted or controlled activities noting the use of fumigants as being sometimes essential for biosecurity operations at the port.	Retain Rules R39 and R40 in their current form.
91.	Stormwater Rule R52	Support	CentrePort supports Rule R52 in providing for stormwater discharge from large sites as a restricted discretionary activity and in providing for the minimisation of the adverse effects of stormwater discharges through progressive improvement over time.	Retain Rule R52 in its current form.
92.	Contaminated Land and Hazardous substances Rules R54, R55, R56 and R57	Support	<p>CentrePort supports Rules R54, R55, R56 and R57 in providing for a framework for discharge from contaminated sites as a permitted activity provided the following conditions met:</p> <p>a) a site investigation has been completed with a copy of the report provided to GWRC within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p>	Retain Rules R54, R55, R56 and R57 in their current form.



	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
93.	Wastewater from ships and offshore installations Rules 63 and 64	Support	<p>b) the concentration of contaminants meets relevant standards</p> <p>CentrePort considers that it is appropriate to include rules controlling the discharge of wastewater from ships.</p>	Retain Rules R63 and R64 in their current form.
94.	Biofoul cleaning Rule R65 and R66	Support with Amendments	<p>CentrePort notes that vessels periodically need to have organic and inorganic material removed from the hull.</p> <p>The proposed rule would mean that domestic operators including port vessels and the Cook Strait Ferries could not continue to clean the vessels in water as they currently do.</p> <p>CentrePort has had discussions with KiwiRail who in turn have had discussions with NZ Dive and Salvage who carry out biofoul cleaning on behalf of Interislander and others. NZ Dive and Salvage advised that in terms of current cleaning there needs to be more of a distinction between the types and vessels and the extent of biofouling that can occur.</p>	<p>Amend Rule 65 as follows</p> <p>The discharge of contaminants and biological material into coastal water from <b>in-water cleaning of biofouling</b> from a vessel, moveable structure or navigation aid, three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, is a permitted activity provided the following conditions are met:</p> <p>(h) the <b>anti-foul coating</b> on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and</p> <p>(i) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and</p> <p>(j) the cleaning of microfouling and goose barnacles of international origin shall be removed using a gentle, non-abrasive cleaning technique, and</p> <p>(k) <b>where the vessel is of international origin</b> the cleaning or treatment method shall capture any biological material released into the water column greater than 50µm in diameter, with any captured cleaning debris disposed on land, and</p> <p>(l) any captured cleaning debris is appropriately disposed of, and</p>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
				<p>(m) if suspected harmful or unusual aquatic species are found, the vessel owner or operator shall take the following steps:</p> <ul style="list-style-type: none"> <li>(i) any cleaning activities shall cease immediately, and</li> <li>(ii) the Wellington Regional Council Harbourmaster shall be notified within five working days, and</li> <li>(iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.</li> </ul> <p>Note For the purposes of Rule R65 guidance is provided in the <i>Anti-Fouling and In-Water Cleaning Guidelines (June 2013)</i>.</p>
95.	All Discharges Rule R67  Other Rule	Oppose	<p>The Kaiwharawhara Stream estuary is located in Schedule F4. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream. This is accentuated by all other discharges being a non-complying activity.</p> <p>As all other discharges are treated as a non-complying activity it would have to be assessed under s104D of the Act, and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. Non-complying activity status is unduly onerous for potential discharge activities within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as a restricted</p>	<p>Amend Rule R67</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water:</p> <ul style="list-style-type: none"> <li>(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area, and</u></li> <li>(b) that is not permitted by Rules R42, R43, R44 or R45</li> </ul> <p>is a non-complying activity.</p>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
96.	Coastal Management Rules General Structure	Amend	discretionary activity pursuant to Rule R52. CentrePort considers that the rules relating to activities and development within the Commercial Port Area require restructuring as currently they are difficult to navigate and it is sometimes unclear what rules apply to the Commercial Port Area and those that do not.	Consider restructuring the Coastal Management Rules to make it clear what rules apply to the Commercial Port Area and those that do not.
97.	Coastal management general conditions (c)	Oppose	CentrePort opposes general condition Disturbance (c) as the increase in the area of the harbour covered by aquifer restriction will have implications for legitimate port work that is otherwise permitted, and needs to be understood. Source reference material therefore needs to be made available. CentrePort's own investigations and many years of experience of seabed disturbance such as wharf piling have concluded that the area of the confined aquifer is of a much lesser extent.	Relief is sought by either: <ul style="list-style-type: none"> <li>• deleting general condition (c) or</li> <li>• refine Map 30 to more accurately reflect the extent of the Aquifer or</li> <li>• Excluding the Commercial Port Area in the rule.</li> </ul>
98.	Coastal management general conditions (q) to (u) Noise from port-related activities	Support	CentrePort supports the general conditions relating to Port Noise. These provisions have been essentially rolled over from the existing Regional Coastal Plan. However the date reference in clause (u) should be deleted as it is a requirement that the Port Noise Management Plan for CentrePort Ltd will be periodically updated.	Amend Coastal Management general condition (u) as follows. (u) Port Noise Management Plan CentrePort shall at all times operate in accordance with the <b>current</b> Port Noise Management Plan for CentrePort Ltd.
99.	Maintenance, repair, additions and alterations to existing structures Rule R149	Support	CentrePort supports the retention of this rule as it is appropriate to provide for some maintenance and repair as a permitted activity.	Retain Rule R149 in its current form.
100.	Removal or demolition of structures Rule R152	Oppose	While supporting most clauses in the permitted activity rule CentrePort considers the permitted activity rules for removal or demolition of structures are onerous (e.g. limited to only 10m <sup>3</sup> of disturbance; and no provision for partial removal). More flexible consideration is needed in the Commercial Port Area (where the work relates regionally significant infrastructure).	Amend Rule R152 as follows: The removal or demolition of a structure or part of a structure, including any associated: <ul style="list-style-type: none"> <li>(a) disturbance of the foreshore or seabed, and</li> <li>(b) deposition in, on or under the foreshore or seabed, and</li> <li>(c) discharge of contaminants, and</li> </ul>

Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
			<p>(d) diversion of open coastal water</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and</p> <p>(f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>except for structures within the Commercial Port Area</u> or Schedule F5 (coastal habitats), and</p> <p>(g) the removal or demolition shall not disturb more than 10m<sup>3</sup> of the foreshore or seabed <u>except for structures within the Commercial Port Area</u>, and</p> <p>(h) the structure or part of the structure is completely removed from the coastal marine area <u>except for structures within the Commercial Port Area</u>, and</p> <p>(i) no explosives shall be used in the removal or demolition, and</p> <p>(i) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:</p> <p>(i) the Wellington Regional Council Harbourmaster, and</p> <p>(ii) Maritime New Zealand, and</p>

Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
			(k) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.
101. New temporary structures outside sites of significance Rule R154	Support with amendment	CentrePort supports the intent of permitted activity status for various temporary structures but consider that it should apply to all of the Commercial Port Area including sites in Schedule F4.	Amend Rule 154 (f) as follows:  (l) the structure is outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <b>unless located in the Commercial Port Area</b> , Schedule F5 (coastal habitats) or Schedule J (geological features), and
102. New temporary structures Rule R155	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be consulted on navigation safety as well as the Harbourmaster and Maritime New Zealand.	Amend Rule 155 Matters for discretion as follows:  (10). Navigational safety including the notification of the Wellington Regional Council Harbourmaster, <b>the Chief Pilot of CentrePort Ltd</b> and Maritime New Zealand
103. New or replacement navigation aids Rule R156	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be consulted on navigation safety as well as the Harbourmaster and Maritime New Zealand.	Amend Rule 156 (g) as follows:  (g) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:  (i) the Wellington Regional Council Harbourmaster, and  (ii) Maritime New Zealand, and  (iii) Land Information New Zealand, and  (iv) <u>The Chief Pilot of CentrePort Ltd, and</u>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
104.	New and replacement structures (including temporary structures) Rule R158	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be required to provide written approval as well as the Harbourmaster. This will provide the shipping channels with further protection that may affect navigation safety. In addition the navigation protection area as shown on Map 49 should be amended to include the Commercial Port Area as the existing map does not provide for safe navigation into the berths.	Amend Rule 158 as follows:  (i) in respect of condition (b), written approval is given by the Wellington Regional Council Harbourmaster and the <u>Chief Pilot of CentrePort Ltd</u>  (j) <u>amend Map 49 to include the Commercial Port Area as Navigation Protection Areas,</u>
105.	New and replacement structures (including temporary structures) Rule R161	Oppose	CentrePort considers that there is a conflict between the Kaiwharawhara Stream estuary in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area.  CentrePort further considers the proposed rule lacks clarity in differing between minor additions or alterations to structures (R150) and new structures or alterations to structures outside sites of significance. CentrePort considers Rule R161 should relate solely to new structures.	Amend Rule R161 as follows:  A new structure, <del>addition or alteration to a structure</del> and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u> , Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...
106.	New and replacement structures (including temporary structures) Rule R162	Oppose	CentrePort considers that there is a conflict between the Kaiwharawhara Stream estuary in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area.	Amend Rule R161 as follows:  A new structure, <del>addition or alteration to a structure</del> and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u> , Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...
107.	Seawalls R165	Support with amendment	CentrePort generally supports the addition or alteration to existing seawalls being a controlled activity. However the limitation of 5 metres in horizontal projection is considered too small particularly as CentrePort has existing seawalls protecting much of the existing Commercial Port Area.	Amend rule 165 (f) as follows:  The addition or alteration to an existing seawall and the associated use of the addition in the coastal marine area, including any associated:

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		CentrePort considers that this should be increased to 10 metres as a controlled activity.	<p>.....</p> <p>Is a controlled activity, provided the following conditions are met:</p> <p>(k) any addition shall add no more than <del>10m</del> 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>.....</p>
108. Seawalls outside of Significance Rule R166	Support with amendment	CentrePort supports discretionary activity status for larger seawalls outside sites of significance but considers that this should also apply to the whole of the Commercial Port Area.	<p>Amend Rule R166 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>
109. Seawalls inside of Significance Rule R167	Oppose	<p>The Kaiwharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including the ferry and the values of the Estuary.</p> <p>As seawalls inside sites of significance are treated as a non-complying activity it would have to be assessed under s104D of the Act and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. CentrePort considers that non-complying activity status is unduly onerous for potential additions or alterations to</p>	<p>Amend Rule R167 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
			existing seawalls or potential new seawalls within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as either a controlled or discretionary activity.	
110.	Alteration of structures identified in Schedule E2 or Schedule E3 Rules R168, R169 R170 and R171	Support	CentrePort supports the retention of this rule as it is appropriate to provide for some alteration to heritage structures as a permitted or restricted discretionary activity. However there is concern with the listing of three operational wharves and the restrictions that could potentially apply to reasonable future use and development.	Retain Rules R168, R169, R170 and R171 in their current form.
111.	Removal, demolition or replacement of structures identified in Schedule E1, Schedule E2 or Schedule E3 Rule R172	Support	While CentrePort supports the rule it should be noted that Waterloo Quay Wharf and Interisland Wharf are, operationally redundant, and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. In addition Miramar Wharf also has limited utility.	Retain Rule R172 in its current form.
112.	Structures in the Commercial Port Area Rule R173	Support in part	CentrePort supports the intent of the rule in providing for additions or alterations to structures inside the Commercial Port Area as a permitted activity but opposes (f) in relation to the Kaiwharawhara Stream estuary.	Amend Rule R173 to remove reference to Kaiwharawhara Stream Estuary through its inclusion in Schedule F4 and subject to the change proposed to general condition (c).
113.	Structures in the Commercial Port Area Rule R174	Support	CentrePort supports the rule as worded in providing for additions or alterations to structures inside the Commercial Port Area.	Retain Rule R174 in its current form and subject to the change proposed to general condition (c).
114.	Structures in the Commercial Port Area Rule R175	Support	CentrePort supports the provision of a new structure associated with passenger handling (for the transfer of passengers, crews and other persons) or cargo handling and the associated use of the structure inside a Commercial Port Area as a permitted activity.	Retain Rule R175 in its current form and subject to the change proposed to general condition (c).
115.	Occupation Rules R182, R183 and R184	Support	CentrePort supports rules concerning occupation of structures owned by a network utility operator and other structures.	Retain Rules R182, R183, and R184 in their current form.
116.	Surface water and foreshore activities	Support with amendment	CentrePort supports the intent of the rule but considers the rule could be improved by adding a note that it	Amend Rules R185 and R186 to add a note excluding activity in the Commercial Port Area.



	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
	Rules R185 and R186		excludes activity in the Commercial Port Area.	
117.	General disturbance activities Rule R189	Support	CentrePort supports the disturbance of the foreshore or seabed from the clearance of a stormwater pipe in the coastal marine area as a permitted activity, noting specific inclusion of disturbance as required for port maintenance.	Retain Rule R189 in its current form.
118.	New rule	Amend	Rule R202 allows Maintenance dredging outside a Commercial Port Area or navigation protection area as a controlled activity. There is no rule allowing maintenance Dredging within a Commercial Port Area or navigation protection area.	Insert a new rule providing for maintenance dredging within a Commercial Port Area or navigation protection area as a permitted activity.
119.	Dredging Rules R202 and R203	Support	CentrePort supports other dredging rules as worded.	Retain Rules R202 and R203 in their current form.
120.	Dumping of waste or other matter Rule R212	Amend	CentrePort considers Rule R212 should be amended to enable consideration of dredging related dumping within a scheduled site as a discretionary activity. Non complying activity status is not appropriate for legitimate port related dredging within the Commercial Port Area or a navigation protection area.	Amend Rule R212 to provide for dredging related deposition or dumping within a scheduled site as a discretionary activity.
121.	Reclamation and drainage Rule R214	Support with amendment	CentrePort supports Rule R214 in providing for reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity.  The Kaiharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including the ferry and the values of the Estuary.	Amend Rule R214 as follows.  <b>Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites) unless located in the Commercial Port Area, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</b>  .....
122.	Reclamation and drainage Rule R215	Support	Subject to the relief sought in relation to Rule 214 this rule is considered appropriate  Non complying activity status is not appropriate for legitimate port related works within the Commercial Port Area.	Retain Rule R215 in its current form subject to the relief sought in relation to Rule R214.

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123. Destruction Rule R216	Amend	There is no definition or explanatory text around what the PNRP means by "destruction" as opposed to damage or disturbance.	Either delete rule or Define "destruction" within the definitions section or within the context of the rule itself.
<b>12 Schedules</b>			
124. Schedule E2	Oppose in Part	CentrePort opposes the listing of three wharves being, Miramar Wharf, Railway Wharf (also known as Interislander Wharf) and Waterloo Wharf. Each should be subject to rules applying to non heritage structures and be available for Port or other related uses.	Remove Miramar Wharf, Railway Wharf and Waterloo Quay Wharf from Schedule E2: Historic heritage (wharves and boatsheds).
125. Schedule F4: Ecosystems and habitats with significant indigenous ecosystems (Map 19)	Oppose in Part	Kaiwharawhara Stream is in Schedule 4. It runs between the reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream.	Either delete Kaiwharawhara Stream estuary from Schedule F4; or make provision in relevant rules for discretionary activity for Port related purposes.
126. Schedule K Significant surf breaks Map 24	Clarify	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Clarification sought as to how the relevant policy will be applied.
<b>13 Maps</b>			
127. Map 9 Historic Heritage wharves and boatsheds	Amend	CentrePort opposes the listing of three wharves shown on Map 9 being, Miramar Wharf, Railway Wharf (also known as Interislander Wharf) and Waterloo Wharf. Each should be subject to rules applying to non heritage structures and be available for Port or other related uses.	Remove Miramar Wharf, Railway Wharf and Waterloo Quay Wharf from Map 9: Historic heritage (wharves and boatsheds).
128. Map 19 Ecosystems and habitats with significant indigenous ecosystems	Amend	Kaiwharawhara Stream is in Schedule 4. It runs between the reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream.	Either delete Kaiwharawhara Stream estuary from Schedule F4; or make provision in relevant rules for discretionary activity for Port related purposes.
129. Map 24 Significant surf breaks	Clarify	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Clarification sought as to how the relevant policy will be applied.
130. Map 30 Hutt Valley aquifer zone in Wellington	Oppose	CentrePort opposes general condition Disturbance (c) as the increase in the area of the harbour covered by aquifer restriction will have implications for legitimate	Relief is sought by either: <ul style="list-style-type: none"> <li>deleting general condition (c) or</li> </ul>

By email

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
	Harbour Nicholson (Port)		port work that is otherwise permitted, and needs to be understood. Source reference material therefore needs to be made available. CentrePort's own investigations and many years of experience of seabed disturbance such as wharf piling have concluded that the area of the confined aquifer is of a much lesser extent.	<ul style="list-style-type: none"> <li>• refine Map 30 to more accurately reflect the extent of the Aquifer or</li> <li>• Excluding the Commercial Port Area in the rule.</li> </ul>
131.	Map Commercial Port, Lambton Harbour Area and noise control lines – Lambton Harbour	Amend	The Lambton Harbour Area (Northern Zone) shown on Map 32 should also have the overlay of Commercial Port Area. Both wharves are currently utilised for Commercial Port Activities.	Amend Map 32 so that the Lambton Harbour Area (Northern Zone) shown on Map 32 is also overlain with the Commercial Port Area notation.
132.	Map 49	Amend	Amend the Navigation Protection Areas shown on Map 49 to include berth approaches including at the finger wharves (Kings and Glasgow etc). This is shown in the attachment at the end of these submissions.	Amend Map 49 as shown in attached Plan and include the Commercial Port Area as being a Navigation Protection Area.
133.	Map 50	Amend	CentrePort has no objection in principle but has concerns with the lack of clarity in Map 50 and the related GIS information on <a href="http://mapping.gw.govt.nz">http://mapping.gw.govt.nz</a> . There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and underneath the height restrictions.	Provide greater clarity on height restrictions in Map 50 and the related GIS information on <a href="http://mapping.gw.govt.nz">http://mapping.gw.govt.nz</a>

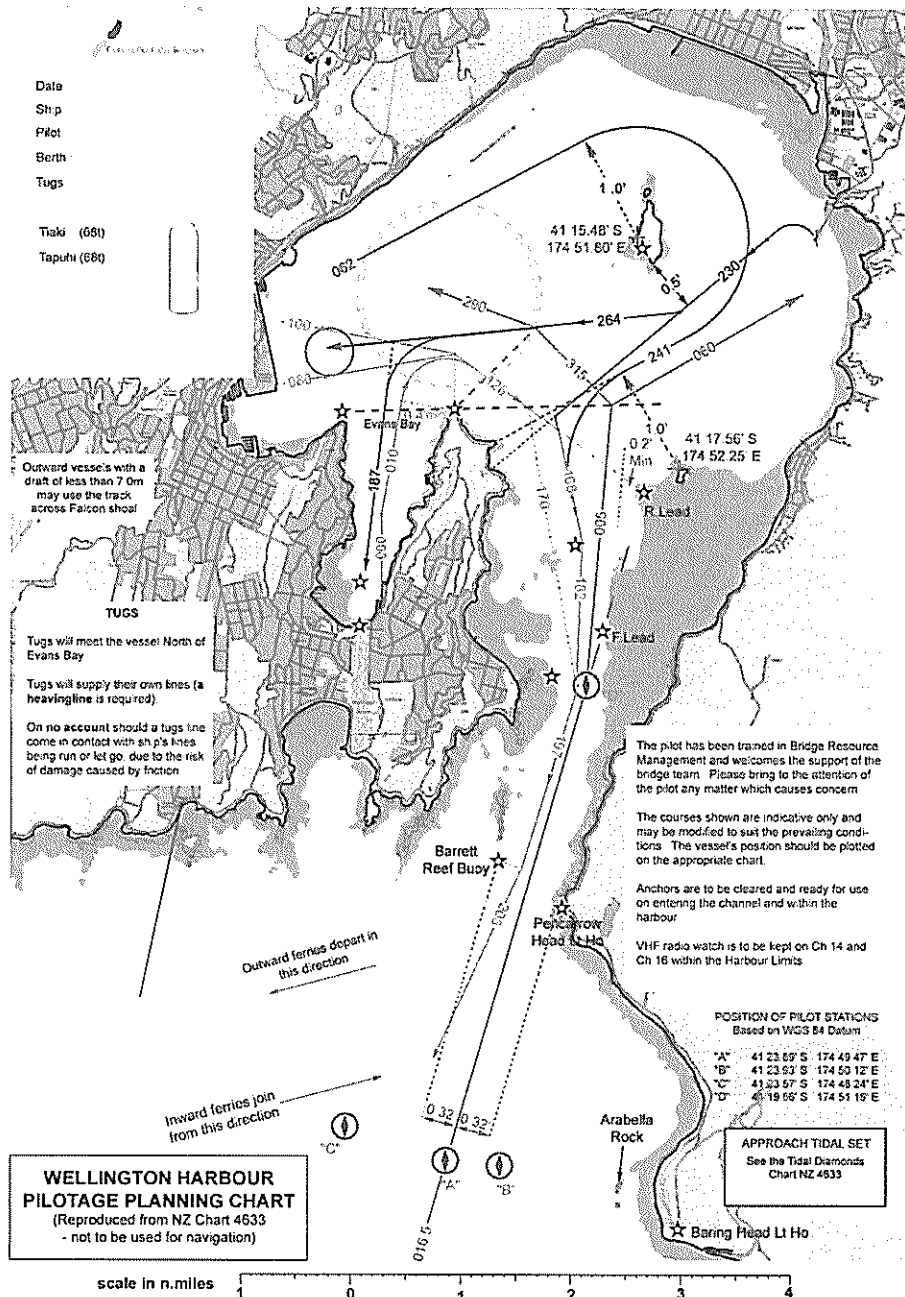
By email

### Navigational lanes within Port and Pilot Limits – Wellington Harbour

From the termination of any track lines on the attached Pilotage Planning Chartlet, which show indicative harbour tracks, vessels will take final tracks to the nominated berth. These approach tracks will vary according to draft, wind direction and the side to the vessel will be berthed.

The Harbour Tracks are recommended tracks only (Bylaws Schedule 6) and may be deviated from as required by the circumstances prevailing at the time. Their purpose is to put rigour into anti collision avoidance and ship passage management.

The approach to the berth from the termination point of any track is to be considered a navigation zone in which ships will manoeuvre as required.







**Amendment to CentrePort Limited Submission on the Wellington Region Proposed Natural Resources Plan**

	Plan Provision	Support/Oppose/Amend	Reason for Submission	Decision Sought
<b>Section 5.7 Coastal Management (Rules)</b>				
134	Omission: provision for activities/use of existing coastal structures	Amend	The Proposed Plan makes no apparent provision for activities in or on an existing structure or part of a structure (inside or outside the Commercial Port Area) or use of that structure, unless development of that structure is proposed (i.e. through Rules providing for additions and alterations to existing structures). As a consequence, it is unclear how a proposed new activity on or use of an existing structure would be considered.	Provision for activities in or on an existing structure or use of that structure, similar to that provided under Rules 10 and 25 of the Operative Regional Coastal Plan.

Proposed Natural Resources Plan:

Submitter:

**Carrus Limited**

Submitter Number:

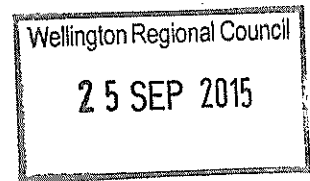
**S122**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



Your details

Full name: Kevin Alkema  
 Organisation name: Carrus Limited  
 (If applicable)  
 Address for Service: PO Box 50391, Porirua

Telephone no's: Work: 04 2378755 Home: 04 9701462 Cell: 027 293 1775

Contact person: Kevin Alkema

Address and telephone no (if different from above):

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: kevin@carrus.co.nz

Trade competition

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Rule R42	My submission on this provision is: ➔	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: ➔	The rule will provide for minor discharges of stormwater where the adverse effects will not be significant and will reduce the volume of consent applications that were being applied for, and granted on a regular basis. The discharge standard values are also supported.
	I seek the following decision from WRC (give precise details): ➔	That the rule be retained

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R54	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The rule references specific documents that are likely to become outdated over the lifetime of the Plan, should these documents be amended and/or renamed.
	I seek the following decision from WRC (give precise details): →	That provisions (a) and (b) be amended to include any future iterations of these documents.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R70	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The volume specified in (f) would require that the majority of development sites across the Region would be required to obtain regional consent as well as local authority consent for being a cleanfill as they would involve the placement of more than 100 cubic metres of material that would meet the definition of cleanfill on a site. Or alternatively some developments would require regional council consent even though they comply with the earthworks standards of the local authority plans. The volume specified in (f) will generate a huge number of consent applications. It is also noted that if the Permitted Activity Standards cannot be met then the activity status defaults to Discretionary Unrestricted.
	I seek the following decision from WRC (give precise details): →	That the rule be amended so that: - (f) relates to a greater volume of material (i.e. 1000 cubic metres) - the rule includes an exemption that enables earthworks being undertaken in association with a subdivision, and/or earthwork associated with residential and building developments be exempt from the standards set under (f) - a new rule is inserted allowing for activities that cannot meet one or two of the Permitted Activity standards to be considered as a Controlled or Restricted Discretionary Activity with control or discretion being retained over the standard(s) not met.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

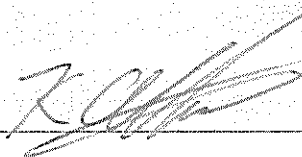
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.5.4 General Provisions	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	These are supported as they are essentially best practice for minimising the adverse effects of an activity on a waterway, and these standards were commonly included as conditions of consent. With these as standards, they do not need to be conditions on consents, which makes consent decisions more concise.
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

25/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB: Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R112	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Where the upgrade and maintenance works cannot meet the Permitted Activity standards, the activity defaults to Discretionary Unrestricted. Where one or two of the standards cannot be met, a lesser activity status should be able to applied
	I seek the following decision from WRC (give precise details): →	Insert a rule allowing for activities that cannot meet one or two of the Permitted Activity standards to be considered as a Controlled or Restricted Discretionary Activity with control or discretion being retained over the standard(s) not met.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy 4.8.12	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	In addition to qualifying special housing areas and growth/development frameworks and strategies approved under the LGA - there are a number of areas that have been identified as growth areas or areas of future development that are covered by Comprehensive Development Plans (CDP) and Structure Plans.
	I seek the following decision from WRC (give precise details): →	amend the policy to include reference to areas covered by a Comprehensive Development Plan or Structure Plan that is/was in place at the time of notification of the Plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Moir Street Residents Group**

Submitter Number:

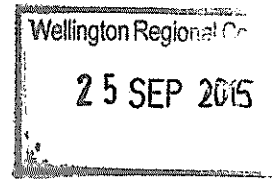
**S123**

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Geoff Palmer  
 Organisation name: (If applicable) Moir Street Residents Group  
 Address for Service: 17 Moir Street, Mt Victoria, Wellington 6011

Telephone no's:	Work: 04 384 3173	Home:	Cell: 027 452 4679
Address and telephone no (if different from above):			
Contact person:			

**Electronic communication**

Email address: moirst@openware.co.nz  
 Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <b>Rule 14</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<i>Rule R14: Spray coating within an enclosed space should be amended from:</i>  "all vents shall be 3m above the building roof ..."  to:  "all vents shall be 3m above the roof line of any residential buildings within a radius of 50m of the vents ..."  Comment: this is the case in Rule R7.

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <b>5.1.5 (c)} Rule 15</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>	
	Reasons for my submission: →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)



- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]  
Date:

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

Proposed Natural Resources Plan:

Submitter:

**Rural Residents Environmental Society  
Incorporated**

Submitter Number:

**S125**



**Introduction**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

**1.5 Factors shaping this Plan**

We support council taking a restrictive presumptive or precautionary approach to activities including discharges which are to land and air which are from recreational, commercial or retail activities. There are activities which discharge hazardous materials to land and air which lead to contaminated sites and dust, vapour and particles which are harmful to human health and animal life.

Amend

We would like a regional rule which restricts or prevents the discharge of hazardous materials to land or air which is not from trade and industrial processes.

**1.5.1 Statutory framework**

There is overlap between the responsibilities of Regional Councils and Territorial Authorities (TA) which sometimes leads in gaps in the plans and responsibilities of the different jurisdictions.

Amend

We would like a statement which indicates that Regional Council will develop Memorandum of Understanding or Agreements with TAs to ensure that plans are coordinated and that processes are developed to ensure resource consents are jointly processed when activities involve responsibilities of two or more jurisdictions.



**Interpretation**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

		<p><b>Amend</b></p>	

There is no definition of a contaminated site or land

Reinstate the definition in the draft plan



**Objectives**      **My submission on this provision is:**      **Reasons for my submission:**      **I seek the following from WRC (give precise details):**

Objective O1: Ki uta ki tai	Amend	Air is omitted	Include air as objective O1 refers to the total spatial relationship.
Objective O2: Importance of land and water	Amend	Air is omitted	Include air in objective O2. Poor air quality reduces the well being of the community.
Objective O3: Mauri	Amend	Mauri includes air and land	Include air and land in the objective.
Objective O40: Adverse air quality	Support	The environment needs to be defined more	Add bees, organic horticulture and treecrops
Objective O43: Contaminated land	Amend	Contaminated land should be remediated and protect vertebrate life	Contaminated land is remediated and managed to protect human health, and protect vertebrate and invertebrate life.
Objective O44: Land use impacts on soil and water	Amend	This is weak and does not prevent the development of further contaminated sites	Amend to read: Land use activities will not create a contaminated site.
Objective O51: Hazardous substances	Amend	This is weak and does not prevent the development of further contaminated sites	Amend to read: The discharge of hazardous substances to land is managed to protect human health, property, and the environment and will not create a contaminated site.





**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Policy P2: Cross-boundary matters	Support	There is overlap between the responsibilities of Regional Councils and Territorial Authorities (TA) which sometimes leads in gaps in the plans and responsibilities of the different jurisdictions. We strongly support this approach.	We would like a statement which indicates that Regional Council will develop Memorandum of Understanding or Agreements with TAs to ensure that plans are coordinated and that processes are developed to ensure resource consents are Need also to consider the effects of the environment on the activity. Wairarapa has strong wings and this can affect discharges to air.
Policy P3: Precautionary approach	Support	Good management practices are supported	Good management practices should use the best international practices where they are more rigorous in protecting the environment than New Zealand industry best practice or common practice Add after ...discharge contaminants to land, air, fresh water ...
Policy P4: Minimising adverse effects	Support	Review of existing consents can be made under section 128 RMA 1991 not just for water, it should apply for any conditions which do not comply with consent	
Policy P5: Review of existing consents	Amend	Restricting air quality to human health and safety does not recognise the effects of discharges on animals particularly beneficial insects. Discharges carried by the air can also affect the organic status of property and be deposited on commercial	Add to Policy 52 reference to protection of beneficial animals and shall not pose risks to organic production or fruit or vegetables.
Policy P52: Managing ambient air quality	Amend	The policy should be to eliminate where possible rather than minimise and should also include vapour. It should also include hazardous.	Reword Policy 55: Air quality in urban, rural and the coastal marine areas shall be managed to prevent or where not practicable to minimise offensive, hazardous or objectionable odour, smoke and particulate matter, vapour fumes, ash and
Policy P55: Managing air amenity	Amend	Restricting this to only industrial discharges is too restrictive. It is the effect which is important irrespective of how it is caused.	Policy P59: Hazardous point source discharges. The significant adverse effects from I point source discharges of hazardous air pollutants beyond the boundary of the property where the discharge is occurring, including any noxious or dangerous
Policy P59: Industrial point source discharges	Amend	We strongly support this policy and feel it can be made more rigorous and prevent long term contamination of land.	Policy P90: Discharges of hazardous substances. The discharge of a hazardous substance to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, storage and transport of hazardous substances shall be prevented or where this is not possible to be managed by the use of good management practices. We have covered the issue of best management practices previously.
Policy P90: Discharges of hazardous substances	Amend		

<p><b>Policy P95: Discharges to land</b></p>	<p><b>Support</b></p>	<p>We strongly support this policy. We would prefer that this also covers preventing the effects on vertebrate and invertebrate life. We are also concerned by the term "minor" and recommend that this is defined in this context.</p>
<p><b>Policy P96: Managing land use</b></p>	<p><b>Amend</b></p>	<p>This policy is vague and difficult to understand.</p>
<p><b>Policy P150: Noise and lighting</b></p>	<p><b>Amend</b></p>	<p>We believe that the Regional Council should also have a policy on Noise and Lighting. These are currently covered by District Plans but they are very variable and inconsistent and do not necessarily meet the requirements of the RMA to regulate the adverse effects of noise and light</p>

Amending the policy as follows: (e) avoiding or minimising effects on public health and amenity, vertebrate and invertebrate animal health, and (f) not resulting in a discharge that enters water including ground water.

Policy P96: Managing land use. Rural land use activities for production and residential purposes is recognised and shall be managed using good management practice.

New Policy P150: Noise and lighting Noise shall be controlled so as not to cause nuisance to sensitive areas. Exterior lighting shall avoid being directed at sensitive activities, streets, roads and navigation tracks and shall minimise effects on other users and wildlife, unless it is for operational health and safety reasons.

**Rules - Air quality**

**My submission on this provision is:**

**I seek the following from WRC (give precise details):**

**Rule R41: All other discharges – discretionary activity**

**Support**

We strongly support this policy, however it may not be strong enough for hazardous contaminants which cause long term contamination and which should be classed as a non-complying activity. We suggest an additional Rule

**Rule R42: Other discharges hazardous substances – non-complying activity. The discharge of hazardous substances into air that are not permitted, controlled, restricted discretionary, discretionary prohibited is a non-complying activity.**



**Rules - Discharges to water**

**My submission on this provision is:**

**I seek the following from WRC (give precise details):**

**Rule R68: All other discharges – discretionary activity**

**Support**

We strongly support this policy, however it may not be strong enough for hazardous contaminants which cause long term contamination and which should be classed as a non-complying activity. We suggest an additional Rule

**Rule R69 All discharges of hazardous substances – non-complying activity** The discharge of hazardous substances into water, or onto or into land where it may enter water, that is not permitted by Rule 68 is a non-complying activity.



**Rules - Discharges to land**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

**Rule R93: All other discharges to land – discretionary activity**

**Support**

We strongly support this policy, however it may not be strong enough for hazardous contaminants which cause long term contamination and which should be classed as a non-complying activity. We suggest an additional Rule

**Rule R94: Discharges of Hazardous Substances to Land – non-complying activity. The discharge of hazardous substances onto or into land that are not permitted, controlled, restricted discretionary, discretionary is a non-complying activity.**





**Rules – Land use**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rule XXX Gun pistol or rifle ranges including Clay Target Shooting Ranges – non-complying activity. The use of land for Gun pistol or rifle ranges including Clay Target Shooting Ranges is a non-complying activity.

We recommend the addition of a new land use rule to cover Clay Target Shooting Ranges, Gun Ranges and other forms of shooting ranges. They are identified specifically on the Hazardous Activities and Industry List (HAIL). They are recognised as producing long term contamination of the land. The shooting ranges use ammunition containing lead and other heavy metals. Clay targets contain Poly Aromatic Hydrocarbons. The spent lead and targets contaminate the land making the soil unusable. The lead is toxic to vertebrates and invertebrates, including bees, worms and birds. It enters the food chain which causes death to grazing animals and higher order carnivores such as falcons and harriers. The dust and vapour produced is spread by the wind. It is a proven health hazard to the shooters and human health. The dust and vapour leaves the site and impacts on surrounding properties, organic production and fruit, vegetable and honey production. Shooting Ranges are also extremely noisy and prevent local residents from enjoying their properties. The presence of the large number of firearms also poses some risk to the community. As a single group of activities they have a significant adverse impact on the environment and amenity. As such they should have their own rule to regulate them as a non-complying activity.

Amend



**Other methods**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

**Method M12: Sustainable land management practices**

Support

We support the promotion of good management practices and suggest that these be the best management practices.

We can supply examples of international best practice management for clay target shooting ranges.

**Method M13: Wairarapa water races**

Support

We support this and recommend that for consistency that the Regional Council leads discussions on a single authority to be responsible for all Wairarapa Water races.

**Method M16: Contaminated land**

Amend

We recommend that the Regional Council works with territorial authorities to remediate contaminated rural land to return it to productive use.

**Method M28: Development of good management practice guidelines.**

Support

We can supply examples of international best practice management for clay target shooting ranges.



**Schedules**

**My submission on this provision is:**

**I seek the following from WRC (give precise details):**

**Schedule F: Ecosystems and habitats with significant indigenous biodiversity values**

**Amend**

The Moroa Water Race does not appear to be included. It contains eels and koura and probably other vertebrates and invertebrates.



Proposed Natural Resources Plan:

Submitter:

**Wellington Electricity Lines Limited**

Submitter Number:

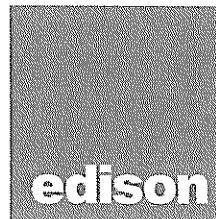
**S126**





Wellington Regional Council

25 SEP 2015



25 September 2015

Edison Consulting Group Limited  
P O Box 875  
Hamilton 3240  
New Zealand

Tel: +64 7 958 8820  
Fax: +64 7 958 8821

The Proposed Natural Resources Plan  
Greater Wellington Regional Council  
PO Box 11646, Manners Street  
Wellington 6142

*Transmittal via email: regionalplan@gw.govt.nz*

***Re: The Proposed Natural Resources Plan: Submission by Wellington Electricity Lines Limited***

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To whom it may concern

Please find attached to this letter a submission by Wellington Electricity Lines Limited ('WELL') on the Greater Wellington Regional Council Proposed Natural Resources Plan.

WELL considers that it could not gain an advantage in trade competition through this submission.

WELL wishes to be heard in relation to the attached submission.

Yours faithfully

A handwritten signature in black ink, appearing to read "Tim Lester", with a stylized flourish at the end.

Tim Lester

*On behalf of Wellington Electricity Lines Limited  
c/- Edison Consulting Group  
P O Box 875  
Hamilton*

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

**Your details**

Full name: Tim Lester  
 Organisation name (if applicable): Wellington Electricity Lines Limited  
 Address for service: Edison Consulting Group  
PO Box 875  
Hamilton 3240  
 Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 021 993 223  
 Contact person: Tim Lester  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: tim.lester@edison.co.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission [If you ticked this box, delete the rest of this section and go straight to 'Your submission']

I/we could gain an advantage in trade competition through this submission

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment, and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:  
 Please continue on separate sheet(s) – an excel spreadsheet of all of the proposed plan provisions is available online [www.gw.govt.nz/regional-plan-review](http://www.gw.govt.nz/regional-plan-review)

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  .....	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

*See attached*

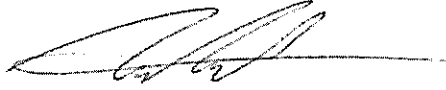
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**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

22/9/2015

[Person making submission or person authorised to sign  
on behalf of person making submission. NB. Not required if making an  
electronic submission]

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**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

**SUBMISSION BY WELLINGTON ELECTRICITY LINES LIMITED ON THE GREATER WELLINGTON  
REGIONAL COUNCIL PROPOSED NATURAL RESOURCES PLAN**

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25 September 2015

**TO:** Greater Wellington Regional Council

PO Box 11646,

Manners Street

Wellington 6142

**BY EMAIL:** regionalplan@gw.govt.nz

**FROM:** Wellington Electricity Lines Limited ("WELL")

PO Box 31049

Lower Hutt 5040

**ADDRESS FOR SERVICE:** Edison Consulting Group Limited

PO Box 875

Hamilton 3240

**Attention:** Tim Lester

**Phone:** 021 993 223

**e-mail:** tim.lester@edison.co.nz

## **1 About Wellington Electricity**

- 1.1 Wellington Electricity Lines Limited ('WELL') owns and operates electricity network assets within the Wellington Region (Wellington City, the Hutt Valley and Porirua Basin). This network has a system length of 4,600km and serves around 165,000 connected consumers.
- 1.2 WELL is committed in its regulatory obligation to provide consumers in the Wellington Region with a responsive and secure supply of electricity, which in doing so provides a critical service to customers as well as a public good to local communities including hospitals, schools offices and residential dwellings.
- 1.3 WELL is a 'Lifeline Utility'. This is a term described in the Civil Defence and Emergency Management Act 2002 for organisations that provide essential infrastructure to the community. The Act says that lifeline utilities must "function at the fullest possible extent, even though this may be at a reduced level, during and after an emergency.
- 1.4 WELL owns distribution substations, lines and cables located in public road reserve, as well as on private property and along easements. In addition to the distribution network, WELL has the ability to own and operate high voltage (up to 110kV) transmission lines, and associated structures.
- 1.5 In addition to the supply of low-voltage (up to 1kV a.c.) connections to industrial, commercial and residential customers, WELL also owns and operates high-voltage sub-transmission infrastructure consisting of lines and substations.

## **2 WELL's Submission to the Proposed Natural Resources Plan**

- 2.1 The purpose of the Proposed Natural Resources Plan (Proposed NRP) is to enable the Greater Wellington Regional Council (GWRC) to effectively carry out its functions pursuant to the Resource Management Act 1991 (RMA), thereby promoting the sustainable management of natural and physical resources.
- 2.2 WELL is responsible for the sustainable management, development and protection of a critical physical resource (electricity infrastructure) in a way which enables people and communities to provide for their social, economic, and cultural well-being pursuant to Section 5 of the RMA. The regional benefits of WELL's electricity assets across the Wellington region are further provided for in the RMA as set out in sections 7(b) and 7(ba).
- 2.3 While WELL is generally supportive of the Proposed NRP, submission points have been made to enhance relevant provisions in the Proposed NRP, and to enable the importance of critical distribution infrastructure across the region to be recognised. The specific submission points, and relief sought, to address concerns are set out below in tabular format.

### 3 Key issues for Wellington Electricity

3.1 Key themes for WELL that have been submitted on in the Proposed NRP include (but are not limited to):

- *The regional significance of the electricity distribution network.*
- *Appropriate and technically relevant definitions.*
- *The protection and unencumbered operation of WELL's network assets.*

### 4 Regionally Significant Infrastructure

4.1 A safe, secure and resilient electricity supply is critical for the sustainable function of modern-day society within the Wellington Region. Electricity contributes significantly to people's health and safety, as well as to their economic and social well-being.

4.2 The WELL electricity network<sup>1</sup> is made up of physical infrastructure that regulates and conveys electricity from National Grid Exit Points, and then supplying this electricity to end users at an appropriate voltage. The means in which this electricity supply system is enabled consists of two key phases:

1. High voltage transmission<sup>2</sup> of electricity from the National Grid (as taken from Grid Exit Points (GXP)) to zone substations.
2. Transformation at substations (stepping down of voltage) and distribution of electricity to customers.

These two functions, while inherently connected through a single comprehensive network, represent distinct functions that require appropriate recognition in the Proposed NRP as Regionally Significant Infrastructure.

4.3 To underpin the context for WELL's submission, the following discussion points are provided arguing why the definition of 'Regionally Significant Infrastructure' includes WELL's regional network of electricity infrastructure. These points include - consistency with the Wellington Regional Policy Statement (RPS); Application of the RPS definition in the NRP; and the Regional Significance of the Distribution Network.

#### Consistency with the Regional Policy Statement

4.4 As stated in the Greater Wellington Regional Council's Operative Regional Policy Statement (RPS):

*"...infrastructure, including energy generation, transmission and distribution networks, are significant physical resources. This infrastructure forms part of national or regional networks and enables communities to provide for their social, economic, and cultural wellbeing and their health and safety..."*

(RPS: page 34)

4.5 WELL acknowledge that the Wellington RPS is a broad, relatively high-level strategic planning document; however, its fundamental importance in accurately identifying significant regional infrastructure is a key element in guiding the direction and implementation of lower tier regional and local level planning documents.

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<sup>1</sup> Network as defined in the Electricity Industry Act 2010 means a distributor's lines and associated equipment used for distribution.

<sup>2</sup> Termed sub-transmission within the distribution network

- 4.6 Notwithstanding the RPS' stated recognition of the regionally significant nature of distribution networks, the RPS definition of Regionally Significant Infrastructure is ambiguous in its articulation of the electrical distribution network. As worded in the RPS, regionally significant infrastructure includes facilities for the transmission of electricity where it is supplied to the 'network'; however, as clearly noted in the GWRC RPS Section 42A report, Council Officers considered that the definition for Regionally Significant Infrastructure included the electricity transmission network as defined by the Electricity Governance Rules 2003, and furthermore, that the RPS definition "...includes facilities for local distribution networks and the national grid."<sup>3</sup>
- 4.7 The RPS definition for Regionally Significant Infrastructure refers to the revoked Electricity Governance Rules 2003 in defining a 'network'. However, WELL consider that the RPS definition is not explicit enough in making it clear that the 'network' is contained within the definition, and consequently should be further clarified in the Proposed NRP.
- 4.8 Pursuant to Section 66(2)(d) of the RMA, the GWRC when preparing the Regional Plan must have regard to the extent that the document is consistent with the RPS. WELL contend that ensuring that the distribution network is appropriately defined as regionally significant infrastructure will not be inconsistent with the RPS.

RPS Definition for Regionally Significant Infrastructure in the Proposed NRP

- 4.9 As discussed above, the distribution network is stated in the RPS as being regionally significant; consequently, appropriate acknowledgement and consistency needs to be reflected in the NRP.
- 4.10 WELL acknowledges that GWRC has adopted the Proposed NRP definition for Regionally Significant Infrastructure from the RPS definition (as indicated by the \* after the defined term); however, whilst the Proposed NRP definition is similar to that of the RPS – there is a key point of difference that requires clarification.

As currently worded, the two definitions state the following in regard to the supply of electricity:

<b>Regionally Significant Infrastructure</b>	
<b>RPS</b>	<b>Proposed NRP</b>
<ul style="list-style-type: none"> <li>• facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>• facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the national grid.</li> </ul>

- 4.11 While WELL can only assume why the Proposed NRP has used an alternative reference to the electricity distribution network and the national grid (presumably due the revocation of the Electricity Governance Rules 2003) it is considered that such a reference is pertinent to the definition as it identifies that electricity can be supplied by non-National Grid regionally significant infrastructure. However, as currently worded such non-grid network facilities are vague in not explicitly specifying that such infrastructure constitutes the distribution network.
- 4.12 WELL note that definitions for Regionally Significant Infrastructure contained in numerous other regional level planning documents throughout the country have resolved definition ambiguity, as currently exhibited in the Proposed NRP, by explicit inclusion of the distribution network in the definition (see **Attachment A**). Upon further investigation, it is

<sup>3</sup> Staff Report: Proposed Regional Policy Statement for the Wellington region 2009 (Volume 2 page 389)

<sup>4</sup> The Electricity Governance Rules 2003 was revoked in 2010



noted that the common rationale for the distribution networks explicit inclusion in the definitions is the recognition that the 'network' represents an integral 'backbone' for that region's local electricity supply. It is also recognised by other regional councils that such networks are in fact subject to the same kinds of land use pressure akin to that facing the National Grid (albeit it not at a national level).

- 4.13 In consideration of the Proposed NRP's ambiguous application of the defined term 'Regionally Significant Infrastructure', WELL seek that the definition be amended to explicitly identify the RPS intention that the electricity distribution network (or the word 'network' as defined in the Electricity Industry Act 2010) are Regionally Significant Infrastructure.

*Regional Significance of the Electricity Distribution Network*

- 4.14 WELL seek that the Proposed NRP appropriately recognises the regional significance of the region's electricity network by amending the proposed definition for Regionally Significant Infrastructure to include explicit reference to the 'network' as defined in the Electricity Industry Act 2010.
- 4.15 Notwithstanding the arguments expressed above as to the requirement to amend the Regionally Significant Infrastructure definition in the Proposed NRP; yet another compelling rationale for the sought amendment is the irrefutable fact that a secure supply of electricity across the region is critical to the safe and efficient functioning of modern society. WELL's distribution network takes high-voltage electricity from the nationally significant National Grid and strategically transmits it at a regional scale across large, geographically diverse, areas before being appropriately regulated locally for consumer use.
- 4.16 As graphically shown in **Attachment B<sup>5</sup>**, WELL's network transmits and distributes a critical supply of electricity across three expansive areas within the Wellington region. These Areas are:
- Southern (including South-western and the Wellington CBD);
  - North-western (including Porirua); and
  - North-eastern (including Lower Hutt and Upper Hutt).
- 4.17 The breadth and scope of WELL's 'network' mean that their facilities cannot solely be limited to district level environmental regulation, and furthermore, have a functional need to exist within a varied set of environments and natural settings in order to serve the region's large urban centres (Wellington City, Porirua City Upper Hutt City, Hutt City) and more remote communities.
- 4.18 The protection of WELL's network function is of critical importance to the region. In the event that the network is not appropriately provided for through the regions environmental policy framework, undue risk is presented whereby large populations of consumer's energy requirements will be placed in jeopardy through WELL's reduced ability to operate and maintain the network, as well as protection of the network against inappropriate land use activities occurring adjacent to the infrastructure.

## 5 Definitions

- 5.1 The Proposed NRP has been prepared with a focus on the sustainable management of natural and physical resources in the Wellington Region. The electricity distribution network is a physical resource in the region, and consequently is provided for in the Proposed NRP by virtue of the policy framework enabling the development, operation and maintenance of

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<sup>5</sup> As taken from Wellington Electricity Lines Limited 2015 Asset Management Plan

regionally significant infrastructure within the regions natural resource areas (i.e., coastal marine, wetland, rivers and lakes).

- 5.2 Given the Proposed NRP's policy framework, WELL has provided a number of submission points relating to how the definitions in the Proposed NRP would be more reflective of their operations in order to ensure the region's critical electricity supply can better function in harmony with the natural environment.
- 5.3 As detailed in the submission table below, WELL have sought amendments to several of the defined terms to be applied throughout the NRP, as well as seeking the addition of new definitions to facilitate the plan's implementation.

## **6 Individual Submission Points**

- 6.1 The table below provides individual submission points made by WELL and provides a brief discussion of the submission as well as the changes (if any) that are sought.
- 6.2 Where the submission point identifies support or amendment, in some instances WELL have placed an \*. This asterisk identifies that WELL's position is contingent on the definition for Regionally Significant Infrastructure being appropriately amended to explicitly reflect that a 'network' – as defined in the Electricity Industry Act 2010 – is contained within the meaning of the term.
- 6.3 In the event that the definition for Regionally Significant Infrastructure is not suitably amended, any support for the submitted on provision is retracted, and that an alternative definition and policy framework (i.e., Objectives, Policies and Rules) is provided for WELL's critical electricity facilities across the Wellington Region. The presence of an '\*' represents a contingency for WELL to suitably protect their assets at the regional level through further development of the Proposed NRP - if so required.
- 6.4 WELL would be open to undertake a collaborative approach with Council in further developing their NRP submissions.

## Proposed Natural Resources Plan (NRP) for the Wellington Region

NRP Provision	Support/Amend /Oppose	Comment	Relief Sought
<i>Interpretation (Definitions)</i>			
<p><b>Earthworks</b></p> <p>" ... Earthworks do not include:.... (d)(ii) electricity lines..."</p>	<b>Support/Amend</b>	<p>Whilst the definition for earthworks is generally supported by WELL in its intent (explicitly excludes electricity lines from the earthwork definition); the definition's exemption should similarly refer to associated structures as well.</p> <p>It is noted that telecommunication 'structures or lines' is referred to in the earthworks exemptions, therefore, in a similar vein, electricity lines <u>or structures</u> should also be excluded.</p>	<p>That the definition for Earthworks is retained; however the exemptions to the definition should be amended to read:</p> <p>" ... Earthworks do not include:.... (d)(ii) electricity <u>structures or lines</u>..."</p>
<p><b>Erosion prone Land</b></p> <p>"The pre-existing slope of the land exceeds 20 degrees."</p>	<b>Amend</b>	<p>WELL consider that the definition for Erosion Prone Land (EPL) is overly restrictive. WELL note that in the Regional Soil Plan, the EPL trigger was applied to slopes greater than 23 degrees and 28 degrees (depending on its Area classification). The proposed NRP definition combines both Area classes and applies a more onerous trigger.</p> <p>WELL considers that a EPL definition be applicable only to slopes greater than 25 degrees thereby representing middle ground with the Regional Soil Plan, as well as being consistent with EPL definitions in other regional planning documents<sup>6</sup>.</p>	<p>WELL request that the definition for Erosion Prone Land be applicable to slopes greater than 25 degrees.</p>
<p><b>Motor Vehicle</b></p> <p>A man-made device for land</p>	<b>Amend</b>	<p>WELL consider that the use of the term 'Motor Vehicle' in the Proposed NRP is not adequately supported by the</p>	<p>WELL submit that the definition for Motor Vehicle be amended by</p>

<sup>6</sup> Waikato Regional Plan; BOP Regional Plan (35 degrees)

<b>NRP Provision</b>	<b>Support/Amend /Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p><i>transport, including, but not limited to cars, trucks, heavy machinery, motorbikes and bicycles, weighing up to 3,500kg and does not include prams, strollers, wheelchairs or other mobility scooters used by persons.</i></p>		<p>current definition.</p> <p>WELL, as do many network utility operators, requires the use of heavy vehicles in upgrading or maintaining their network (i.e. Hiab trucks and or loader cranes etc..). In many instances, such vehicles will exceed the weight restriction of 3,500kg consequently falling outside of the definition.</p> <p>Given the required task the vehicle is to perform (i.e., replacing structures within the coastal marine environment), the vehicle type will be determined on its capabilities and function for the given environment. The application of a 3,500kg restriction of the definition for Motor Vehicle is not practicable in regard to the maintenance or permitted upgrades to the region's infrastructure and should be removed from the definition.</p> <p>Without amending the definition as sought, many of the permitted activities specified on the Proposed NRP will not be able to be complied with for operational reasons.</p>	<p>removing the weight restriction of 3,500kg.</p>
<p><b>Offset</b>  <i>"A measurable positive outcome resulting from an action designed to compensate for the significant residual adverse effects on the environment arising from an activity after avoidance, remediation and mitigation measures have been taken."</i></p>	<p><b>Support</b></p>	<p>WELL consider that the use of the word 'offset' is appropriate in relation to their operations (particularly in regard to new developments), as an offset from the supply of electricity in itself is a positive outcome that is easily measurable.</p>	<p>WELL supports the term 'Offset' being defined in the Proposed NRP and seeks its retention unaltered.</p>

NRP Provision	Support/Amend/Oppose	Comment	Relief Sought
<p><b>Regionally significant infrastructure*</b></p> <ul style="list-style-type: none"> <li><i>the national electricity grid</i></li> <li><i>facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the national grid</i></li> </ul> <p>(note: * refers to the definition being taken from the Wellington Regional Policy Statement)</p>	<p><b>Amend</b></p>	<p>WELL note that the definition for Regionally Significant Infrastructure is derived from the Wellington RPS. However, for the reasons discussed in section 4 of this submission (i.e., the use of the word 'to' the electricity distribution network), WELL consider that the Proposed NRP definition is ambiguously worded and could incorrectly be interpreted by plan users to mean that Regionally Significant Infrastructure excludes the electricity distribution network.</p> <p>As contained within <b>Attachment A</b> of this submission, the electricity distribution network has been included in numerous regional planning documents throughout the country due to recognition that such networks provide critical services to people and communities that are not only restricted to a district by district significance. Given the increased recognition of the electrical distribution networks regional significance, WELL request that the Proposed NRP align itself with other regional planning documents and strategies and amend the definition for Regionally Significant Infrastructure as sought.</p> <p>By amending the definition as sought, WELL contends that the Proposed NRP will not be inconsistent with the Regional Policy Statement as discussed above in section 4 of this submission.</p> <p>Failure of the Proposed NRP to appropriately define the electricity distribution network will create confusion in interpreting the role, location and function of the region's electricity supply network with significant time and cost implications for both the network utility</p>	<p>WELL submit that the definition for Regionally Significant Infrastructure be amended to read:</p> <ul style="list-style-type: none"> <li><i>the national electricity grid</i></li> <li><i>facilities for the generation, transmission and distribution of electricity.</i></li> <li><i>a network (as defined in the Electricity Industry Act 2010).</i></li> </ul>

<b>NRP Provision</b>	<b>Support/Amend/Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
		<p>operator and Council. Furthermore, without including an appropriate definition for Regionally Significant Infrastructure, WELL will be compelled to seek alternative policy guidance to enable the protection and operation of the region's critical electricity distribution network. Such guidance will be in the form of amended objectives and policies currently relating to Regionally Significant Infrastructure.</p>	
<p><b>Temporary Structure</b>  <i>"A structure in the coastal marine area which is not in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal."</i></p>	<p><b>Amend</b></p>	<p>The definition for temporary structure is applicable to WELL in the event that short-term or emergency works to the electricity supply network are required (i.e., a temporary line structure is required for maintenance).            Given that such temporary structures can be used to compliment a much wider network in the event of outages, the duration for such structures may need to extend well beyond the 31 day limit currently stated in the definition.            It is noted by WELL that in recent district plan changes in the region, a temporary structure (in this instance a temporary above ground line) was permitted in all land use zones as long as it was not required for a period of no more than 6 months.            Such a period of time relating to temporary structures in the Proposed NRP should be applied to network utility structures given that their function and requirement often extends beyond that of other structures not associated with linier, interconnected, networks.</p>	<p>That the definition for Temporary Structures be amended to allow network utilities to erect and operate temporary structures for a period no more than 6 continuous calendar months.</p>

<b>NRP Provision</b>	<b>Support/Amend/Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p><b>Upgrade</b>  <i>“Use and development to bring existing structures or facilities up to current standards provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.”</i></p>	<p><b>Support</b></p>	<p>WELL consider that the proposed NRP definition for upgrade is appropriate for WELL’s network operations and activities. It is considered that provisions enabling the unrestricted ability to upgrade assets regardless of the environmental setting should be supported in the NRP.</p>	<p>WELL supports the term ‘Upgrade’ being defined in the Proposed NRP and seeks its retention unaltered.</p>
<p><b>Functional need</b>  <i>“When an activity is dependent on having its location in the coastal marine area or in the beds of lakes and rivers.”</i></p>	<p><b>Support</b></p>	<p>WELL consider that the identification of <i>functional need</i> addresses situations with respect to their assets being located within sensitive areas such as coastal, river, lake environments etc..  The functional need for WELL assets in such environments recognises the need for customers to be provided with a secure supply of electricity – thus enabling social and economic wellbeing.</p>	<p>WELL supports the term ‘Functional need’ being defined in the Proposed NRP and seeks its retention unaltered.</p>
<p><b>Vegetation clearance</b>  <i>“The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation.”</i></p>	<p><b>Amend</b></p>	<p>WELL consider that an exemption to the vegetation clearance definition should apply to the safe and efficient operation of electricity lines and substations. Such an exemption would be similar to the earthwork exemption indicated in the earthworks definition.  The purpose of the vegetation clearance exemption would be to reflect WELL’s and landowner obligations under the <u><i>Electricity (Hazards from Trees) Regulations 2003</i></u>.</p>	<p>That the definition for vegetation clearance excludes trimming and maintenance activities associated with electricity supply networks.  An amended definition for the vegetation clearance definition should read:  <i>“The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying</i></p>

NRP Provision	Support/Amend /Oppose	Comment	Relief Sought
			<p>of vegetation by hand or aerial means, hand clearance, and the burning of vegetation. <u>Vegetation clearance for maintaining and operating safe electricity supply networks is exempt from the definition of vegetation clearance.</u>"</p>
<p>Add a new definition for 'Maintenance'</p>		<p>It is noted by WELL that within the Proposed NRP the words Upgrade and Maintenance are commonly used in regard to infrastructure. In some instances, such words are used interchangeably (i.e., proposed <b>Rule R197</b>). To provide certainty to WELL maintenance activities, a definition is required in the Proposed NRP.</p>	<p>That a new definition for maintenance is provided i.e., "Maintenance means the replacement, repair or renewal of existing infrastructure and where the effects of that utility remain the same or similar in character, intensity and scale."</p>
<b>Objectives</b>			
<p><b>Objective O12</b> The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.</p>	<p><b>Support*</b></p>	<p><b>Objective O12</b> appropriately recognises that infrastructure such as the electricity distribution network provides social, economic and environmental benefits from a regional and local perspective. WELL support <b>Objective O12</b> contingent on a clarified definition for Regionally Significant Infrastructure being included in the Proposed NRP. In the event that Council is reluctant to clarify the definition for Regionally Significant Infrastructure as sought by WELL, WELL will revoke support for <b>Objective O12</b> as it will not recognise the social, economic and environmental benefits the electricity distribution</p>	<p>On strict condition that the definition for Regionally Significant Infrastructure adequately encapsulates the electricity distribution network – WELL support <b>Objective O12</b> as is currently worded.</p>



NRP Provision	Support*/Amend /Oppose	Comment	Relief Sought
<p><b>Objective O13</b></p> <p><i>The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></p>	<p><b>Support*/Amend</b></p>	<p>provides to the Wellington Region.</p> <p>WELL consider that <b>Objective O13</b> as currently worded is appropriate in recognising that infrastructure located within the coastal marine environment, inclusive of the regionally significant electricity distribution network, should be protected against incompatible land uses and reverse sensitivity.</p> <p>Failure to adequately have the distribution network recognised as regionally significant will compel WELL to withdraw support for <b>Objective O13</b>, and furthermore seek appropriate provisions are included in the Proposed NRP for distribution structures located within the coastal marine environment.</p> <p>Further to the above, WELL consider that the development or additional extensions of new infrastructure should also be included in the objective in order to reflect future scenarios stemming from consumer demand and regional growth.</p>	<p>WELL support <b>Objective O13</b> contingent on its application to the regions electricity distribution network.</p> <p>However, WELL seek that the word development is included in the objective so to read:</p> <p><i>“The <u>development</u>, use and ongoing operation of...”</i></p>
<b>Policies</b>			
<p><b>Policy P8: <u>Beneficial activities</u></b></p> <p><i>The following activities are recognised as beneficial and generally appropriate:</i></p> <p>...</p> <p><i>(h) maintenance and use of</i></p>	<p><b>Support*</b></p>	<p>WELL note that <b>Policy P8</b> reflects <b>O12</b> and <b>O13</b> and is understood to be encapsulating of existing structures such as those associated with the electricity networks, that are located in sensitive environments.</p> <p>It is important that such beneficial structures clearly and unambiguously include electricity structures and facilities due to functional need.</p>	<p>WELL support <b>Policy P8</b> as is currently worded to the extent that it covers existing electricity structures and facilities that were legally established at the time of the Proposed NRP notification.</p>

<b>NRP Provision</b>	<b>Support*/Amend /Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes...		In addition to the above, WELL consider that the term 'maintenance' is defined in the Proposed NRP as previously sought.	
<p><u>Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</u></p> <p>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised ...</p>	Support*	<p>Policy P12 relates, in part, to Regionally Significant Infrastructure within the Coastal environment and recognises that such infrastructure is strategically integrated, has locational requirements, has functional need and unique operational requirements.</p> <p>WELL consider that the policy is directly applicable to the region's critical electricity distribution network given the function of the network in supplying a secure supply of electricity to people and communities across the region. Consequently, a strong reassurance that the region's electricity distribution network are clearly defined as regionally significant infrastructure needs to be made in the Proposed NRP.</p>	WELL support Policy P12 as currently worded to the extent that WELL's distribution network is appropriately recognised as Regionally Significant Infrastructure.
<p><u>Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities.</u></p> <p>The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</p>	Support*/Amend	<p>Similar to Policy P12, Policy P13 seeks to recognise that existing Regionally Significant Infrastructure is beneficial to the communities' social and economic requirements. Furthermore, the policy sets in place the relevant permitted activity rules for such assets within the coastal, Lake and/or river environments of the Wellington Region.</p> <p>As one of the network operators for the region's critical electricity distribution network, WELL supports the concept behind the policy; however, WELL feels that the word 'generally' dilutes the impact of the policy and</p>	<p>WELL support Policy P13 to the extent that WELL's critical distribution network is appropriately recognised as Regionally Significant Infrastructure.</p> <p>WELL seeks that Policy P13 is amended to remove the word "generally".</p>

<b>NRP Provision</b>	<b>Support/Amend/Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p><b>Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</b>  <b>Regionally significant infrastructure and renewable energy</b></p>	<p><b>Support*</b></p>	<p>should be removed.</p> <p><b>Policy P14</b> relates to avoiding adverse reverse sensitivity effects on existing Regional Significant Infrastructure (i.e., earthworks, buildings etc.).</p> <p>Such a policy is relevant to WELL's network and is supported.</p>	<p><b>Policy P14</b> is supported to the extent that WELL's critical distribution network is adequately recognised under the definition of Regionally Significant Infrastructure.</p>
<p><b>Policy P132: Functional need and efficient use</b></p>	<p><b>Support</b></p>	<p>WELL understand <b>Policy P132</b> recognises that some structures in the coastal marine environment have an operational requirement to be located there.</p> <p>It is considered that this policy reflects WELL's requirement to place structures in the coastal marine environment and is supported.</p>	<p>WELL support <b>Policy P132</b> as currently worded.</p>
<p><b>Policy P138: Structures in sites with significant values</b>  <i>...(d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure...</i></p>	<p><b>Support*</b></p>	<p><b>Policy P138</b> is applicable to WELL's distribution network assets located (or are required to be located in future) within sites with significant values.</p> <p>Contingent on WELL's network being adequately captured by the Regionally Significant Infrastructure definition, the policy is beneficial and is supported.</p>	<p>WELL support <b>Policy P138</b> to the extent that WELL's 'network' is a recognised component of Regionally Significant Infrastructure.</p>
<p><b>Policy P139: Seawalls</b>  <i>The construction of a new seawall is inappropriate except where the seawall is required to protect:</i></p>	<p><b>Support/Amend</b></p>	<p>Whilst WELL generally support <b>Policy P139</b>, this support is contingent on the effects of the seawall not adversely impacting existing regionally significant infrastructure such as the critical distribution network located within the coastal marine, or river environment.</p>	<p>WELL support <b>Policy P139</b>, however seek that a new provision is included in the policy to ensure the seawall design is undertaken in consideration/agreement with other</p>

<b>NRP Provision</b>	<b>Support/Amend /Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p>(b) new regionally significant infrastructure,</p>		<p>An example of such an adverse effect would be the construction of a seawall over, or within close proximity to, an existing high-voltage electricity line with the requirement for the asset owner to relocate the infrastructure at their expense.</p>	<p>existing infrastructure owners.</p>
<p><b>Policy P143: <u>Deposition in a site of significance</u></b>  <i>Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</i>                      ...                      (f) it is necessary to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure,</p>	<p><b>Support*</b></p>	<p><b>Policy P143</b> is applicable to maintenance and upgrade works commonly undertaken by WELL's for their critical electricity distribution network. Consequently, WELL support the recognition in <b>Policy P143</b> that deposition of sand, shingle and shell in significant sites is appropriate.</p>	<p>Contingent of Regionally Significant Infrastructure being defined as including the critical electricity distribution network, WELL support <b>Policy P143</b> as currently worded.</p>
<p><b>Policy P144: <u>Dumping in a site with significant values</u></b>  <i>Dumping in a site identified in .... shall be avoided except where:</i>                      (a) it is necessary to enable the development, operation,</p>	<p><b>Support*</b></p>	<p><b>Policy P144</b> is applicable to maintenance and upgrade works commonly undertaken by WELL for their critical electricity distribution network (i.e., vegetation or earthworks overburden deposition). Consequently, WELL support the recognition in <b>Policy P144</b> that deposition of sand, shingle and shell in significant sites is</p>	<p>Contingent of Regionally Significant Infrastructure being defined as including a 'network', WELL support <b>Policy P144</b> as currently worded.</p>

NRP Provision	Support/Amend/Oppose	Comment	Relief Sought
<p><i>maintenance and upgrade of regionally significant infrastructure, and...</i></p>		<p>appropriate.</p>	
<p><b>Policy P147:</b> Motor vehicles on the foreshore <b>Policy P148:</b> Motor vehicles in sites with significant value ... with the exception of vehicles associated with... (d) the development, operation, maintenance and upgrade of regionally significant infrastructure.</p>	<p><b>Support*/amend</b></p>	<p><b>Policies 147 and 148</b> set in place a regulatory regime allowing for WELL's maintenance activities to take place within coastal or otherwise sensitive environments. In consideration of this allowance, WELL is support of the policies.  Notwithstanding the above support, as indicated in the submission point relating to the definition for Motor vehicles, WELL restricts its support to Council's adoption of the sought amendment (removing the 3,500kg weight restriction to the definition).  Given that there may be instances where vehicles with a weight greater than 3,500kg are required to maintain and upgrade their assets, the currently worded definition is inappropriate and does not reflect WELL's (and many other network utility operators) operational requirements.</p>	<p>WELL support <b>Policies P147</b> and <b>148</b> to the extent that WELL's critical electricity distribution network is a recognised component of Regionally Significant Infrastructure.  WELL support <b>Policies P147</b> and <b>148</b> to the extent that WELL's submission point relating to the removal of the 3,500kg weight restriction is removed from the definition of 'Motor Vehicle'.</p>
<b>Rules</b>			
<p><b>Rule R12:</b> <u>Emergency power generators – permitted activity</u> The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of</p>	<p><b>Support/amend</b></p>	<p>WELL generally support <b>Rule R12</b> as it recognises that power generators are required from time to time in the event normal supply is interrupted.  WELL support the provision in the Rule where generators up to 2MW are permitted in relation to the electricity supply network.  WELL seeks that the rule is slightly amended to include</p>	<p>WELL seek that an amendment to <b>Rule R12</b> is made that encapsulates planned maintenance activities where by temporary non-grid power is required.  WELL seeks that <b>Rule R12</b> is amended to read:  "The discharge of contaminants into</p>

<b>NRP Provision</b>	<b>Support/Amend/Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p>diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</p> <p>(a) the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</p> <p>...</p>		<p>general maintenance activities where by power supply to a given location may be interrupted as a result of routine maintenance, and is not the result of an emergency or unforeseen circumstance.</p>	<p>air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</p> <p>...</p> <p>(c) the electricity connection is not available due to planned outages."</p>
<p><b>Rule R100:</b> Vegetation clearance on erosion prone land – permitted activity</p>	<p><b>Amend</b></p>	<p>WELL has submitted on the definition for vegetation clearance to be amended to exclude electricity maintenance works. However, it is also considered appropriate to amend <b>Rule R100</b> to the extent that mandatory vegetation clearance for the safe and efficient supply of electricity is explicitly included in the permitted activity rule.</p> <p>As indicated in the vegetation clearance definition amendment, the <u>Electricity (Hazards from Trees) Regulations 2003</u> stipulates vegetation clearance distances for various voltage conductors.</p> <p>To ensure WELL has uninhibited ability to maintain the Scheduled Growth limit zones, it is requested that <b>Rule R100</b> allows for such maintenance works to occur as permitted.</p>	<p>WELL seeks that <b>Rule R100</b> is amended as follows:</p> <p>"The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from vegetation clearance of a contiguous area up to 2ha per property per 12 month period on erosion prone land is a permitted activity, provided the following conditions are met:</p> <p>...</p> <p>(c) The vegetation clearance is associated with electricity structure maintenance."</p>
<p><b>Rule R104:</b> Structures in natural wetlands and significant natural</p>	<p><b>Support</b></p>	<p>WELL own and operate linear infrastructure that may require structures to be located within wetlands due to</p>	<p>WELL support <b>Rule R104</b> as currently worded.</p>

NRP Provision	Support/Amend /Oppose	Comment	Relief Sought
<p><u>wetlands – permitted activity</u></p> <p>The maintenance, repair, addition, alteration, or replacement (like for like) of an existing structure, and the placement of a new structure of an area less than 10m<sup>2</sup> for the purpose of hunting and recreation (including maimai and jetties), and the removal of an existing structure in a natural wetland or significant natural wetland, including any associated ...</p>		<p>functional need.</p> <p>Due to the linear nature of WELL structures <b>Rule R104</b> is considered to be appropriate as it relates to maintenance, repair, addition, alteration, or replacement of existing structures in wetlands as a permitted activity. However, the permitted activity standard for <b>Rule R104</b> refers to only hand held machinery as being able to be used for such permitted works. Undertaking maintenance, repair, addition, alteration or replacement works for electricity infrastructure cannot, in all instances, be undertaken solely with hand held machinery with the default being the activity becoming a Discretionary activity.</p> <p>WELL appreciates that wetlands contain, or are, ecologically sensitive environments, and any works required to be undertaken in such environments will be need to be undertaken sympathetically and in accordance with the standards contained within Section 5.5.2. However, when required to undertake works on existing structures, WELL consider the Discretionary Activity <b>Rule R107</b> is excessive.</p> <p>WELL consider that a less onerous activity status should apply to maintenance, repair, addition, alteration, or replacement works as it relates to <i>existing</i> infrastructure structures located in wetlands. In the event non-hand held machinery is required (such as would be the case for a pole replacement), a controlled activity status would be more appropriate. Such control would include the provision of a construction management plan prior</p>	<p>WELL submit that a new Rule is included in the NRP allowing for maintenance, repair, addition or replacement of existing regionally significant infrastructure structures as a Controlled Activity. The new rule should be worded as follows:</p> <p><b>Rule RXX: Activities in natural wetlands and significant natural wetlands – Controlled activity.</b></p> <p><i>Activities for the purpose of maintenance, repair, addition, alteration, or replacement (like for like) of an existing structure, that are not permitted by rules R104 and R105, are controlled activities provided the following condition is met:</i></p> <p>(a) <u>The activities relate to existing structures that are components of regionally significant infrastructure;</u></p> <p>(b) <u>the activity shall comply with the wetland general conditions for activities in natural wetlands, significant natural wetlands and outstanding natural wetlands specified above in Section 5.5.2.</u></p>

<b>NRP Provision</b>	<b>Support/Amend /Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
		<p>to the works commencing, and would outline how the works would mitigate any potential adverse environmental effects.</p> <p>WELL consider that having a lessened activity status is appropriate given that the subject structures would be existing, and having already gone through an environmental assessment process.</p> <p>The Controlled Activity Rule would not include new structures to be located within wetlands.</p>	
<b>Rule R112:</b> <u>Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity</u>	<b>Support</b>	<p>WELL understands that works on structures located within lake or river beds are permitted by proposed <b>Rule R112</b>.</p> <p>WELL support <b>Rule R112</b> as currently worded as it allows electricity lines to be attached to existing structures (i.e., a bridge) as a permitted activity.</p>	WELL supports <b>Rule R112</b> and seeks its retention unaltered.
<b>Rule R117:</b> New structures – permitted activity <b>Rule R118:</b> Removing or demolishing structures – permitted activity	<b>Support</b>	WELL has reviewed the permitted activity rules for new structures (and removal of structures) in the bed of a river or lake. In consideration of this review, WELL consider that they are appropriate and hence acceptable in consideration of WELL's activities	WELL support the inclusion of <b>Rules R117</b> and <b>R118</b> unaltered.
<b>Rule R122:</b> Removing vegetation – permitted activity	<b>Support</b>	WELL consider that <b>Rule R122</b> suitably allows for the maintenance of their network by permitting vegetation clearance within the beds of lakes and rivers. In particular WELL support permitted activity condition (m) as it refers to vegetation that could threaten infrastructure.	WELL seek that the permitted activity condition (m) for <b>Rule R122</b> is retained unaltered.



<b>NRP Provision</b>	<b>Support/Amend/Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p><b>Rule R149: <u>Maintenance or repair of structures – permitted activity</u></b>  <i>The maintenance or repair of a structure in the coastal marine area, including any associated:</i></p> <ul style="list-style-type: none"> <li><i>(a) occupation of space in the common marine and coastal area, and</i></li> <li><i>(b) disturbance of the foreshore or seabed, and</i></li> <li><i>(c) deposition in, on or under the foreshore or seabed, and</i></li> <li><i>(d) discharge of contaminants, and</i></li> <li><i>(e) diversion of open coastal water</i></li> </ul> <p><i>is a permitted activity, provided the following conditions are met:</i></p>	<p><b>Support</b></p>	<p>Maintenance or repair works on structures located within the coastal marine environment are permitted by proposed Rule <b>R149</b>.</p> <p>Such recognition of works that are undertaken by WELL in the Proposed NRP is supported.</p>	<p>WELL support <b>Rule R149</b> unaltered.</p>
<p><b>Rule R150: <u>Minor additions or alterations to structures – permitted activity</u></b>  <i>The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated...</i></p>	<p><b>Amend</b></p>	<p>WELL consider that the permitted activity standards for minor alterations are generally acceptable; however, to allow for the possibility of a minor deviation to an electricity line (i.e., when replacing a pole) <b>Rule R150</b> should provide for a <u>relocation footprint of within 5m radius</u> of the existing structure as permitted.</p> <p>WELL note that recent district plan changes in the region provided a relocation allowance for network utility structures of a 5m radius from the existing structure.</p>	<p>WELL submit that <b>Rule R150</b> is amended to enable structures to be relocated within a 5m radius of its existing position as a permitted activity in the coastal marine environment.</p> <p>WELL seeks that <b>Rule R150</b> be amended as follows:  <i>(j) the minor addition or alteration</i></p>

NRP Provision	Support/Amend /Oppose	Comment	Relief Sought
		Consequently, WELL consider it appropriate for the Proposed NRP to be consistent to the spatial elements for structure relocations.	<u>shall be within a 5m radius of the original structure, shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, and</u>
<p><b>Rule R182: <u>Occupation of space by a structure owned by a network utility operator – permitted activity</u></b></p> <p><i>The occupation of space in the common marine and coastal area by a structure existing before the date of public notification of the Proposed Natural Resources Plan (31.07.2015) owned by a network utility operator is a permitted activity.</i></p>		<p><b>Rule R182</b> is directly applicable to WELL as a Network Utility Operator, and their existing assets that may be located within marine or coastal environments.</p> <p><b>R182</b> specifically states ‘structures’; it is considered that the word ‘facility’ (i.e., a distribution substation) should be included in the rule for certainty.</p>	<p>WELL submits that <b>Rule R182</b> is slightly amended to include the word ‘facility’.</p> <p>Once amended <b>Rule R182</b> would read:</p> <p><u>“Occupation of space by a structure or facility owned by a network utility operator – permitted activity”</u></p>
<p><b>Rule R197: <u>Motor vehicles for certain purposes – permitted activity</u></b></p> <p>The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes:</p>	<p><b>Support</b></p>	<p>WELL note this rule gives effect to <b>Policies P147</b> and <b>P148</b> addressed above.</p> <p>Given the need for vehicle access in all natural resource areas to WELLS critical distribution assets – <b>Rule R197</b> is supported; however, this support is contingent on the definition for motor vehicle be amended to not limit weight restrictions to 3,500kg.</p>	<p>WELL supports <b>Rule R197</b> as it permits the ability to use vehicles in the coastal marine environment for the purposes of maintenance of infrastructure.</p>

<b>NRP Provision</b>	<b>Support/Amend /Oppose</b>	<b>Comment</b>	<b>Relief Sought</b>
<p>...</p> <p>(d) the maintenance, upgrade and operation of regionally significant infrastructure.</p>			

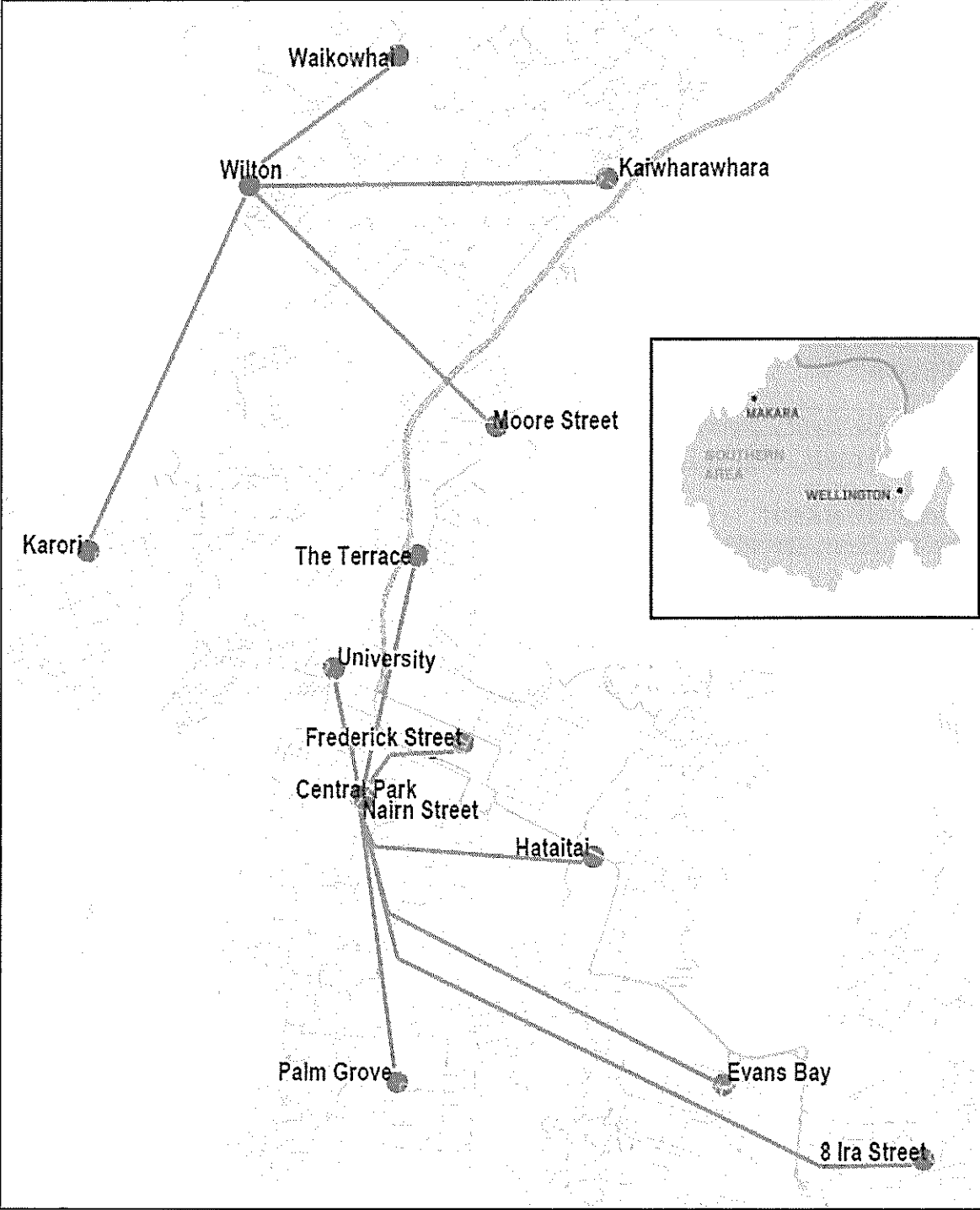
# Attachment A

Definitions for Regionally Significant Infrastructure as taken from a selection of other recently review Regional Planning documents throughout the country

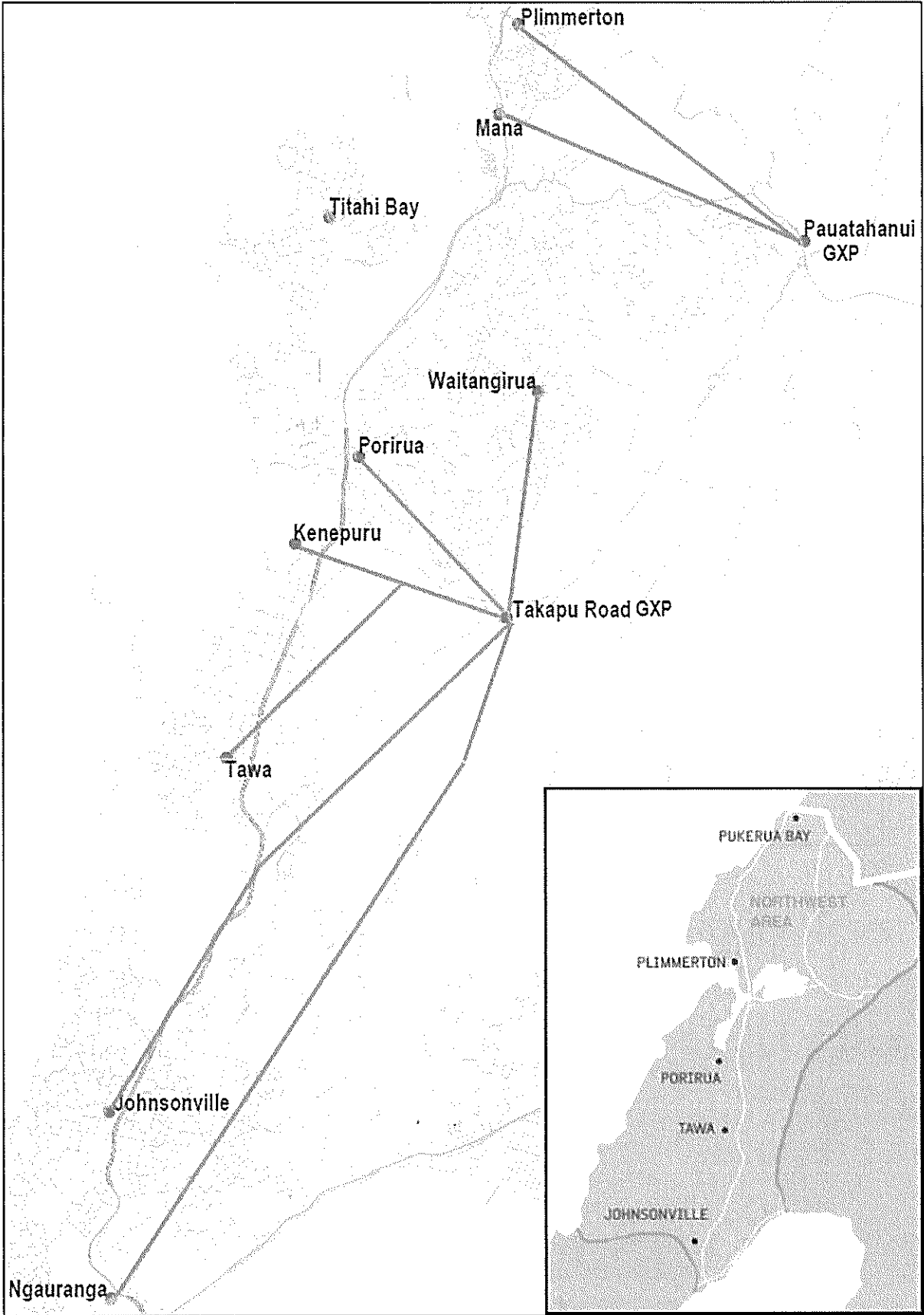
<b><u>Document</u></b>	<b><u>Regionally Significant Infrastructure Definition</u></b>
<b><u>Proposed Regional Policy Statement for Northland</u></b>	“... (d) Network electricity lines and associated infrastructure that constitute the sub-transmission network; (e) Electricity distribution assets which supply essential public services (such as hospitals or lifelines facilities), large (1MW or more) industrial or commercial consumers, 1000 or more consumers or are difficult to replace with an alternative supply if they are compromised; ...”
<b><u>Auckland Council Regional Policy Statement</u></b>	“... Energy and telecommunications networks, including electricity generation facilities (such as Otahuhu A and Otahuhu B) and electricity distribution networks”
<b><u>Proposed Waikato Regional Policy Statement</u></b>	“a network (as defined in the Electricity Industry Act 2010);”
<b><u>Proposed West Coast Regional Policy Statement</u></b>	“The National Grid and electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;”
<b><u>Canterbury Regional Policy Statement</u></b>	“Electricity distribution network”
<b><u>Southland Regional Policy Statement</u></b>	“Facilities for the generation and transmission of electricity where it is supplied to the national electricity grid and local distribution network.”

# Attachment B

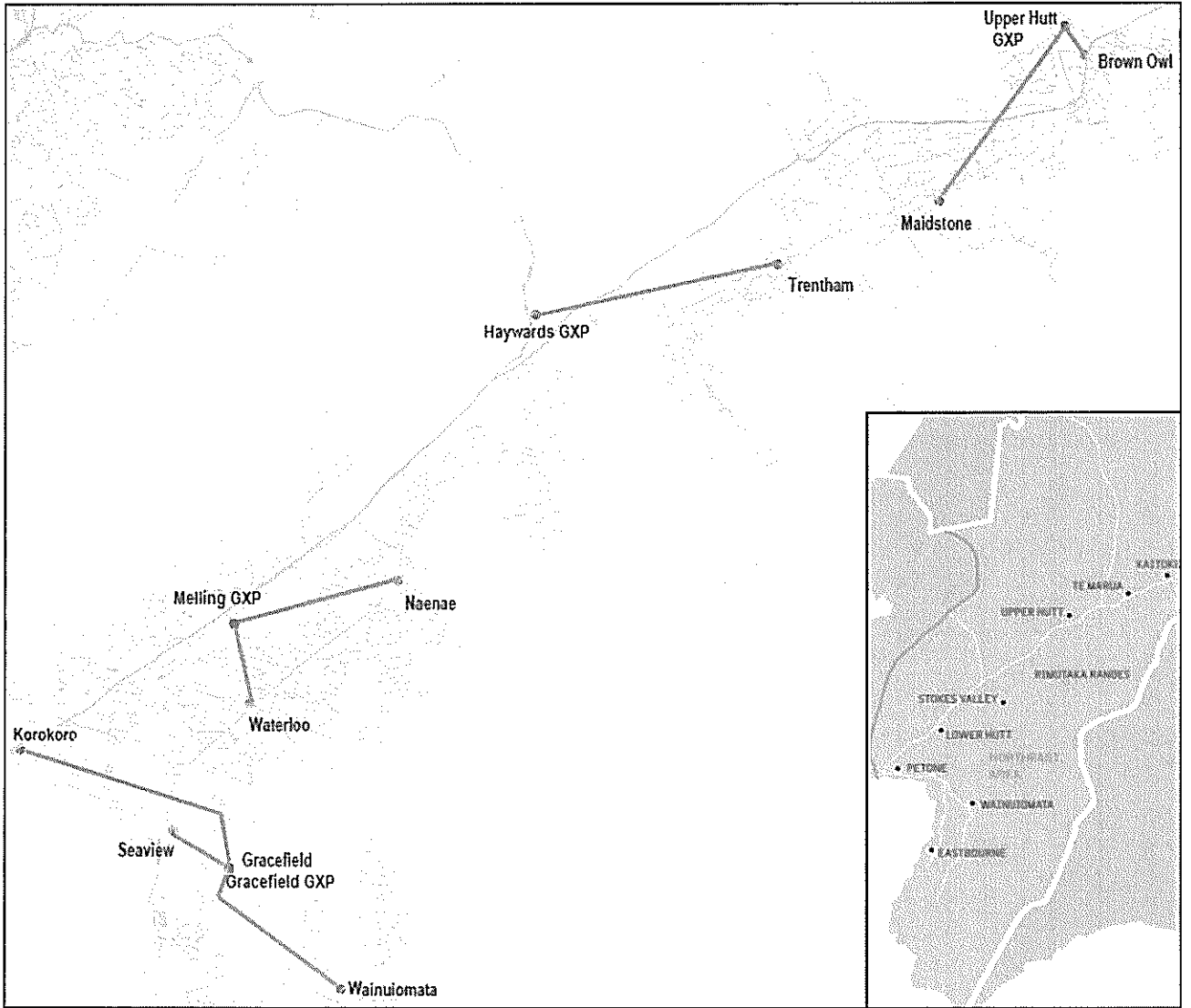
Sub transmission interconnectivity within Wellington South, Northwest and Northeast respectively.



Wellington Southern Area Sub transmission Network



Wellington North-western Area Sub transmission Network



Wellington North-eastern Area Sub transmission Network

Proposed Natural Resources Plan:

Submitter:

**Wairarapa Regional Irrigation Trust**

Submitter Number:

**S127**





25 September 2015

Freepost 3156  
Proposed Natural Resources Plan  
Greater Wellington Regional Council  
PO Box 11646  
Manners Street  
**Wellington 6142**

**By Email: [regional-plan@gw.govt.nz](mailto:regional-plan@gw.govt.nz)**

Please find attached the initial submission for Wairarapa Regional Irrigation Trust on the Proposed Natural Resources Plan.

We are grateful for the extension that has been granted for our submission and may follow this submission with additional information before the end of the extension period.

The Wairarapa Regional Irrigation Trust was established in 2007 to promote the development of irrigated land use in Wairarapa.

It introduced the Wairarapa Water Use Project to GWRC and remains an integral part of that project the project's Governance Group, Stakeholder Advisory Group and Leadership Group.

Our address for service is:  
Wairarapa Regional Irrigation Trust  
c/o Grow Wellington  
316 Queen Street  
PO Box 920  
**Masterton**

**Attention: Geoff Copps**

Telephone (day): 06 370 3290  
Mobile: (021) 638 629  
Email: [Geoff.copps@growwellington.co.nz](mailto:Geoff.copps@growwellington.co.nz)

Wairarapa Regional Irrigation Trust prefers to receive information electronically to its email address as above.

Wairarapa Regional Irrigation Trust could not gain an advantage in trade competition through this submission.

We wish to be heard in support of our submission.

If others make a similar submission, we would consider presenting a joint case with them at a hearing.

Yours sincerely

Bob Tosswill

Chairman

Authorised to sign on behalf of Wairarapa Regional Irrigation Trust

Wellington Proposed Natural Resources Plan – Wairarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
1.5.1 Page 9 para 5	<p>Whaitua committees will work with their catchment communities to develop recommendations for limits related to water quality and quantity, as directed by Policy CA2 of the NPS-FM.</p>	<p>This provision states that the Whaitua committees will set limits as required by NPSFM Policy CA2. CA2 is about setting objectives, not limits. Limits can assist the achievement of the objectives. Provision needs to be amended accordingly.</p>	<p>Change reference in paragraph from <b>limits</b> to <b>objectives</b> to be more factually correct</p>
Definition	<p><b>Artificial farm drainage canal</b>                      .....                      Note: maintenance of channels excluded from the definition of <b>artificial farm drainage canal</b> because they only convey water during rainfall events and do not convey or retain water at other times (e.g. swales) is not controlled by rules in the Plan.</p>	<p>Confusing note. What is controlled by rules in the Plan swales or <b>artificial farm drainage canals</b>? Unsure what the purpose is of the note. Needs amendment to clarify intent.</p>	<p>Clarify what is meant</p>
Definition	<p><b>Minimum flow or water level</b></p>	<p>The concept of the <b>interim</b> minimum flow needs to be clarified to make sense of this and other definitions referring to it.</p>	<p>Amend to clarify what the 'interim' minimum flow refers to.</p>
Definition	<p><b>Surface Water body</b>                      A river, lake, wetland, estuary, open drain or water race, and its bed. For the purpose of the Plan, <b>surface water body</b> does not include <b>ephemeral flow paths</b> and bodies of water designed, installed and maintained for any of the following</p>	<p>Support exclusion of artificial water bodies, but the exclusion should refer to water storage ponds used for electricity generation to cover the situation of a small hydro generation installed to operate in conjunction with an irrigation scheme.</p>	<p>Support but amend to add new a (iv) "electricity generation".</p>

Wellington Proposed Natural Resources Plan – Waitarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
	<p>purposes:</p> <p>(a) water storage ponds for</p> <ul style="list-style-type: none"> <li>(i) fire fighting or</li> <li>(ii) irrigation, or</li> <li>(iii) stock watering, or</li> </ul> <p>(b) water treatment ponds for</p> <ul style="list-style-type: none"> <li>(i) wastewater, or</li> <li>(ii) stormwater, or</li> <li>(iii) nutrient attenuation, or</li> <li>(iv) sediment control, or</li> <li>(v) animal effluent, or</li> <li>(vi) operating sumps, quarries and gravel pits.</li> </ul> <p>Also see definitions for Category 1, and <b>Category 2 surface water bodies</b>, and the definition for <b>River class</b>.</p>		
O6	<p>Sufficient water of a suitable quality is available for the <b>health needs of people</b>.</p>	<p>Support focus on human health</p>	<p>Support</p>
O8	<p>The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.</p>	<p>Support recognising economic benefits of water use, but objective just relates to allocation (i.e. quantity) issues. Needs to relate to water quality as well.</p>	<p>Amend to add the words "in the management of water quality and " before "within"</p>
O19	<p>The interference from use and development on <b>natural processes</b> is minimised.</p>	<p>"Interference" has pejorative overtones and is open to wide interpretation. References to</p>	<p>Amend objective to refer to minimisation of adverse effects on natural processes.</p>

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O23	<p>The quality of water in the region's rivers, lakes, <b>natural wetlands</b>, groundwater and the coastal marine area is maintained or improved.</p>	<p>'adverse effects' would provide a more objective and certain end point...</p> <p>General objective to maintain and improve water quality suggests water quality remaining the same (at worst) at all places and at all times. NPFSM has maintain and improve overall water quality and this should be the objective of the Plan.</p>	<p>Amend Objective to line up with the NPFSM:</p> <p>The <u>overall</u> quality of water in the region's rivers, lakes, <b>natural wetlands</b>, groundwater and the coastal marine area is maintained or improved.</p>
O24	<p>Rivers, lakes, <b>natural wetlands</b> and coastal water are suitable for contact recreation and <b>Māori customary use</b>, including by:</p> <p>(a) maintaining water quality, or</p> <p>(b) improving water quality in:</p> <p>(i) <b>significant contact recreation fresh water bodies</b> to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and</p> <p>(ii) coastal water to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and</p>	<p>Linked to the issue posed by O23. While maintaining water quality where it is currently sufficiently high will provide for contact recreation and Maori customary use, it will also constrain temporary, localised and/or minor adverse effects on water quality.</p> <p>The objective should adopt the NPFSM approach of focussing on maintenance and improvement of overall water quality.</p>	<p>Amend (a) to refer to maintaining <b>overall</b> water quality.</p>

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O25	<p>(iii) All other rivers and lakes and <b>natural wetlands</b> to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.</p> <p>To safeguard <b>aquatic ecosystem health</b> and <b>mahinga kai</b> in fresh water bodies and coastal marine area:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain <b>aquatic ecosystem health</b> and <b>mahinga kai</b>, and</p> <p>(b) <b>restoration of aquatic ecosystem health</b> and <b>mahinga kai</b> is encouraged, and</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p> <p>Note Where the relevant <b>whaitua</b> sections of the Plan contain an objective on the same subject matter as Objective O25 (water quality, biological and habitat outcomes), the more specific <b>whaitua</b> objective will</p>	<p>Reference to restoration of ecological health needs identification of the desired end point-restored to what level?</p> <p>The Table 3.4 MCI values applicable to the Wairarapa Plains rivers and streams and sought to be achieved under O25 (c) appear to involve significant improvements in ecological health indicators if they are to be achieved. MCI is the product of multiple environmental factors, many of which are outside the control of individuals whose activities influence water quality.</p> <p>While the Table 3.4 periphyton values appear more achievable from the technical report benchmarking the proposed values, the report states that the conclusions reached are indicative only due to insufficient data being available to undertake a full assessment and that it is probable that the desired values will not be met in a number of cases, including on the Wairarapa plains.</p> <p>The section 32 analysis asserts that the benefits of achieving the objective exceed the costs but</p>	<p>Amend to clarify the level of ecological health restoration sought to be encouraged.</p> <p>Amend Table 3.4 to provide a measurable environmental outcome over the life of the Plan whose benefits and costs can properly be evaluated under 32 to demonstrate that the benefits exceed the costs over time.</p> <p>Amend to make it clear if O25(c) is intended to be aspirational only insofar as it incorporates periphyton and MCI values for rivers and streams on the Wairarapa plains, and/or substitute qualitative environmental outcomes for the numerical values currently in Table 3.4.</p>

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	take precedence.	<p>provides no quantification of either the benefits or the costs over time. The intention appears to be that the objective is aspirational only and that Council seeks to indicate a desire for progressive improvement at an unspecified rate over an unspecified time, pending firming up on these critical details through the Whatitua process.</p> <p>The objective needs to be clarified to make it clear what it seeks and a proper section 32 evaluation undertaken of its effect.</p>	
O29	Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.	<p>The objective suggests that fish passage needs to be 'restored' even if it exists already.</p> <p>The objective needs to acknowledge that barriers to the passage of fish and koura may be acceptable if desirable for other reasons and the adverse effects appropriately mitigated or offset.</p>	<p>Amend the objective to read as follows:</p> <p>"Use and development maintains the health of fish and koura populations where their free passage is impeded, including through restoration of fish and koura passage where barriers to such passage currently exist"</p>
O31	Outstanding water bodies and their significant values are protected.	<p>Protecting both outstanding water bodies and their significant values appears unnecessary. If you 'protect' the water body, you necessarily protect all its values- both significant and not significant.</p> <p>The NPSSFM focuses on significant values instead</p>	<p>Amend objective to read as follows:</p> <p>"Protect the significant values of outstanding water bodies"</p>



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		of, not as well as the feature itself. That way, effects on aspects that don't contribute to the outstanding character of the water body are treated as being of less significance.	
O35	Ecosystems and habitats with significant indigenous biodiversity values are protected and restored.	The way this objective is framed raises similar issues to O29 and O31. The focus of the objective should be on protecting the significant indigenous biodiversity values rather than on all aspects of the ecosystem and/or habitat. Reference to restoration seems problematic in the context of ecosystems already identified as having significant values. Why do they need to be restored, and what level of restoration is required?	Amend objective to read as follows: "Protect the significant indigenous biodiversity values of ecosystems and habitats, where they currently exist."
O52	<p>The efficiency of allocation and use of water is improved and maximised through time, including by means of:</p> <p>(a) efficient infrastructure, and</p> <p>(b) <b>good management practice</b>, including irrigation, domestic municipal and industry practices, and</p> <p>(c) maximising reuse, recovery and recycling of water and contaminants, and</p> <p>(d) enabling water to be transferred</p>	Support recognition of the need for efficient use and allocation of water including enabling water storage outside river beds. The reality is however that most suitable storage sites will have a river or stream running through them and that water storage outside river beds is in practice restricted to purpose built storage ponds like the Te Marua lakes or small on-farm irrigation storage ponds. From an efficiency perspective, there is no reason to limit this objective so as to exclude in-stream storage (i.e. water storage within river beds)	Amend 052 (e) as follows: (e) enabling water storage outside river beds.. Otherwise support.

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	<p>between users, and</p> <p>(e) enabling water storage outside river beds.</p>		
Policy 3 (P3)	<p><b>Precautionary approach</b></p> <p>Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the adverse effects the activity may have on this environment.</p>	<p>Reference to the precautionary approach needs to be limited to the situation where there is both an absence of information and the potential for significant adverse effects- i.e. the way that the NZCPS Policy 3 uses that concept. It should not be framed as a blanket requirement for caution wherever the nature and scale of effects cannot be predicted with complete certainty (which in the natural environment, is on virtually every occasion) and should allow for measured development matching the scale of risk in the circumstances.</p>	<p>Amend Policy P3 to read:</p> <p>“A precautionary approach to management of the nature, scale and speed of use and development where there is limited information available and the potential for significant adverse effects”.</p>
P4	<p><b>Minimising Adverse Effects</b></p> <p>Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include:</p> <p>(a) consideration of alternative locations and methods for</p>	<p>The policy could be improved by making it clear that “the smallest practicable amount is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.</p>	<p>Amend policy:</p> <p>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <i>having regard to the nature and objectives of the activity</i> and shall include:....”</p>

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	<p>undertaking the activity that would have less adverse effects, and</p> <p>(b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and</p> <p>(c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and</p> <p>(d) using <b>good management practices</b> for reducing the adverse effects of the activity, and</p> <p>(e) designing the activity so that the scale or footprint of the activity is as small as practicable.</p>		
P6	<p>Synchronised expiry and review dates</p> <p>Resource consents may be granted with a common expiry or review date within a <b>whatua or sub-catchment</b>, if:</p> <p>(a) the affected resource is fully</p>	<p>The meaning of the term <b>integrated solution</b> should be clarified in this context and in the definition of Whatua.</p>	<p>Amend to define what is meant by "integrated solution".</p>

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	<p>allocated or over-allocated, or</p> <p>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that <b>whatua</b> or <b>sub-catchment</b>.</p>		
P7	<p>Uses of land and water</p> <p>The cultural, social and economic benefits of using land and water for:</p> <p>(a) aquaculture, and</p> <p>(b) treatment, dilution and disposal of <b>wastewater</b> and <b>stormwater</b>, and</p> <p>(c) industrial processes and commercial uses associated with the potable water supply network, and</p> <p>(d) community and domestic water supply, and</p> <p>(e) electricity generation, and</p> <p>(f) food production and harvesting, and</p>	<p>Support recognition of the importance of water use.</p>	<p>Support</p>

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	<p>(g) gravel extraction from rivers for flood protection and control purposes, and</p> <p>(h) irrigation and stock water, and</p> <p>(i) firefighting, and</p> <p>(j) contact recreation and <b>Māori customary use</b>, and</p> <p>(k) transport along, and access to, water bodies</p> <p>shall be recognised.</p>		
P11	<p>In-stream water storage</p> <p>The benefits associated with the damming and storing of water within the bed of a river are recognised when:</p> <p>(a) there are significant social and economic benefits for the region, and</p> <p>(b) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(c) the reliability of water supply improves as a result, and</p> <p>(d) the damming and storage of</p>	<p>Support recognition of the benefits of instream water storage but the benefits of out-of-stream water storage are equally worthy of recognition. Expansion of the policy would also implement Objective 52 (e).</p>	<p>Amend policy as follows:</p> <p><del>In-stream w/Water storage</del></p> <p>The benefits associated with the damming and storing of water <del>within the bed of a river</del> are recognised when:</p> <p>(a) there are significant social and economic benefits for the region, and</p> <p>(b) water remains available for multiple in-stream and out of stream uses concurrently, and</p> <p>(c) the reliability of water supply</p>

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P31	<p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:</p> <p>(a) minimise adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and <b>natural wetlands</b>, and</p> <p>(b) minimise adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, <b>natural wetlands</b> and coastal habitats, and</p> <p>(c) minimise adverse effects on habitats that are important to the life cycle and survival of</p>	<p>Support the focus on minimising adverse effects but the requirement to 'avoid' barriers to migration and movement of indigenous species poses a higher and more absolute requirement that would preclude developments employing instream facilities that form a barrier to fish passage. Suggest the approach in P32 apply to that too, enabling trap and transfer type methods, and offset mitigation.</p>	<p>Amend Policy P31 (e) as follows:</p> <p>Avoid-creating <u>Manage proposals that involve</u> barriers to the migration or movement of indigenous aquatic species <u>consistently with the process outlined in Policy 32</u>, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(d) improves as a result, and the damming and storage of water contributes to the <b>efficient allocation</b> and use of water.</p>

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	<p>aquatic species, and</p> <p>(d) minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</p> <p>(e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(f) minimise adverse effects on riparian habitats and restore them where practicable, and</p> <p>(g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.</p>		
P33	<p>Protecting indigenous fish habitat</p> <p>The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish</p>	<p>The approach taken in this policy is extremely constraining, particularly given the extent to which rivers and lakes have been identified in Schedule F, and appears inconsistent with the approach taken in P32 to adverse effects on ecological health and mahinga kai and in P40-41 to ecosystems with significant indigenous biodiversity values.</p>	<p>Amend the opening words of P33 as follows:</p> <p>Protecting indigenous fish habitat</p> <p>The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at</p>

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	spawning/migration) for those species, shall be avoided. These activities include the following: (a) discharges of contaminants, including sediment, and (b) disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and (c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.		the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided <u>minimised consistently with the process to be followed in P32</u> .....
P34	Fish passage The construction or creation of new barriers to the passage of fish and koura species shall be avoided.	This policy duplicates and creates the same issue with the use of the word avoided as raised under P31. The same approach should be adopted to both.	Amend P34 as follows: Fish passage <u>Manage</u> the construction or creation of new barriers to the passage of fish and koura species shall be <del>avoided</del> <u>consistently with the process outlined in Policy 32</u>
P39	Adverse effects on outstanding water bodies The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided.	This policy takes the same approach as O31, and creates the same issues. Protecting both outstanding water bodies and their significant values seems appears unnecessary. If you 'protect' the water body, you necessarily	Amend objective to read as follows: "Protect the significant values of outstanding water bodies as identified in Schedule A"



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P40 & P41	<p>Ecosystems and habitats with significant indigenous biodiversity values</p> <p>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</p> <p>(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</p> <p>(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</p> <p>(c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and</p> <p>(d) the ecosystems and habitat-types with significant</p>	<p>protect all its values- significant and not significant.</p> <p>The NPSFM focuses on significant values instead of, not as well as the feature itself. That way, effects on aspects that don't contribute to the outstanding character of the water body are treated as being of less significance.</p> <p>The approach taken to ecosystems and habitats providing for remediation, mitigation and offsetting alternatives (to avoidance) is supported, but the inconsistency as between these policies and P33 needs to be addressed by appropriate amendments to P33 as above.</p>	Support P 40-41

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	<p>indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</p> <p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</p> <p>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities, other than activities carried out in accordance with a <b>restoration management plan</b>, shall avoid these ecosystems and habitats.</p> <p>If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:</p> <p>(a) avoiding more than minor adverse effects, and</p> <p>(b) where more than minor adverse effects cannot be avoided, remedying them, and</p> <p>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</p> <p>(d) where <b>residual adverse</b></p>		

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	<p><b>effects remain it is appropriate to consider the use of biodiversity offsets.</b></p> <p>Proposals for mitigation and <b>biodiversity offsets</b> will be assessed against the principles listed in Schedule G (biodiversity offsetting). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through <b>biodiversity offsets</b>, the activity is inappropriate.</p>		
P65	<p>Minimising effects of nutrient discharges</p> <p>The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:</p> <p>(a) <b>good management practices</b>, and</p> <p>(b) information gathering, monitoring, assessment and reporting, and</p>	<p>This policy is supported but it requires clarification as to what constitutes a 'nutrient discharge' for this purpose- in particular whether nutrients contributed by grazing stock are intended to be considered under this policy or, as is understood to be the intention, under P96 (and the future amendments to that policy resulting from the Whaitua process) governing land use management.</p>	<p>Add a Note to this policy, as follows:</p> <p>"It is intended that nutrients ultimately entering water as a result of stock grazing are managed under landuse policies (P96) rather than this and other policies governing discharges of contaminants to land."</p>

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	<p>(c) integrated management within the Wellington Regional Council and with the involvement of <b>mana whenua</b>, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and</p> <p>(d) regulatory and non-regulatory methods, and</p> <p>(e) plan changes or variations resulting from catchment-specific recommendations from the <b>whatua</b> committee process.</p>		
P96	<p>Managing land use</p> <p>Rural land use activities shall be managed using good management practice.</p> <p>Note</p> <p>Allmit, target and/or allocation framework will be established through the whatua committee process and incorporated into the Plan through a future plan change or variation.</p>	<p>The approach taken to managing rural land uses pending the outcome of the Whatua process is supported.</p>	<p>Support.</p>
P105	<p>Protecting trout habitat</p>	<p>This policy will have an extremely constraining effect on use and development affecting the rivers of the Waitarapa Plains, by reason of the number</p>	<p>Amend P105 as follows: Protecting trout habitat</p>

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Section 4.9 (Policies P107 to p127)	Water Allocation policies.	The policies governing allocation and use of water, including those related to minimum flows, fail to take account of the fact that water storage	Add a new policy to section 4.9, worded along the following lines:
	<p>I (trout habitat). The effects of use and development in and around these rivers shall be managed to:</p> <p>(e) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O25, and</p> <p>(f) minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and</p> <p>(g) maintain the amount of pool, run and riffle habitat, and</p> <p>(h) maintain fish passage for trout, and</p> <p>(i) minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).</p>	<p>of rivers identified in Schedule I, the use of maintenance as the sole management imperative in relation to (a), (c) and (d), and the lack of any qualification as to the nature and extent of adverse effects caught by the policy. It is also incongruous that trout habitat should be valued more highly than indigenous ecosystems (as per P40-41).</p> <p>The cross reference to O25 in (a) potentially elevates the aspirational nature of that objective to a policy requirement.</p>	<p>Particular regard shall be given to the protection of trout habitat in rivers with important trout habitat identified in Schedule I (trout habitat) <b>by managing</b> the effects of use and development in and around these rivers shall be managed to:</p> <p>(a) maintain or improve water quality <del>in accordance</del> <b>consistently</b> with the objectives in Table 3.4 and Table 3.5 of Objective O25 related to water quality, and</p> <p>(b) <u>to</u> minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and</p> <p>(c) maintain <b>to minimise any significant loss of</b> the amount of pool, run and riffle habitat, and</p> <p>(d) maintain <b>to minimise loss of</b> fish passage for trout, and</p> <p>(e) <b>to</b> minimise <b>significant</b> adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).</p>

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		<p>schemes involve a take of stored water and sometimes (where the Scheme design involves use of a natural watercourse to move water from a storage reservoir to water users downstream) a discharge to and retake of water from the watercourse.</p> <p>Provided the storage water is collected in compliance with relevant minimum flows, and within relevant allocation limits, the subsequent operation of the Scheme should be provided for as an exception to those policies as an additional allocation. Otherwise it would not be possible to establish or operate a storage-based scheme, and would likely create a hazard for instream storage due to the inability to take (and discharge) sufficient water in times of high inflows to avoid over-topping of a dam.</p>	<p>"Policy xxx: Take and Use of Stored Water</p> <p>In the situation where water is stored in a storage reservoir as part of a scheme for storage and supply of water pursuant to a resource consent authorising damming, diversion and/or taking of water for that purpose:</p> <p>(a) Subsequent take and use of the stored water, including the take of water by the consent holder or any person authorised by the consent holder from any watercourse into which the stored water has been discharged shall constitute a tertiary allocation of water not subject to Policies 111-127 inclusive or to the policies in sections 7-11 inclusive of this Plan;</p> <p>(b) Policies 111-112 and the policies in sections 7-11 inclusive of this Plan shall apply to takes of water other than by the consent holder or persons authorised by the consent holder on the basis of the water flows and levels that would have occurred without the operation of the water supply scheme, as assessed by Greater Wellington Regional Council."</p>

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Rule R.R1	<p>Rule R.R1: Take and use of water in the Ruamāhanga Whaitua – restricted discretionary activity</p> <p>The take and use of water from any river (including <b>tributaries</b>), Lake Wairarapa (including <b>tributaries</b>), and groundwater in the Ruamāhanga River catchment above the Lake Wairarapa outflow, and in the Lake Wairarapa catchment, is a restricted discretionary activity provided the following conditions are met:</p> <p>(c) at flows above <b>median flow</b>:</p> <p>(i) the frequency of <b>flushing flows</b> that exceed three times the <b>median flow</b> of the river is not changed, and</p> <p>(ii) 50% of the river flow above the <b>median flow</b> remains in the river.</p>	<p>The way the supplementary allocation is framed in Rule R.R1 (c) is framed means that exactly 50% of the river flow above median must remain in the river. It is likely that a consent applicant may wish to take less water than this, meaning that more than 50% of the river flow above median remains in the river.</p> <p>As the rule is currently framed however, this is not permitted and the application would therefore be discretionary under rule R.R2. This does not seem to be an outcome that would have been intended since there is no obvious effects-based rationale to treat an application to take less water less favourably.</p>	<p>Add a new definition to section 2.2 as follows:</p> <p>Tertiary allocation: an amount of water stored pursuant to resource consents authorising the damming, diverting and/or taking of water and available for the consent holder or persons authorised by the consent holder to subsequently take and use.</p> <p>Amend Rule R.R1 (c)(ii) to read:</p> <p>(ii) <b><u>A minimum of 50%</u></b> of the river flow above the <b>median flow</b> remains in the river.</p>

Wellington Proposed Natural Resources Plan – Wairarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
Rule R.R3	<p>Rule R.R3: Taking and use of water that exceeds minimum flows, lake levels or core allocation – prohibited activity</p> <p>The take and use of water from any river (including tributaries), Lake Wairarapa (including tributaries), or groundwater in Tables 7.3-7.5 in the Ruamāhanga River catchment that does not meet conditions (a) or (b) of Rule R.R1 is a prohibited activity.</p>	<p>This rule (and Rule R.R2) needs to provide for take and use of stored water as a separate exception to the minimum flow and allocation provisions, for the reasons set out above in relation to section 4.9.</p>	<p>Amend the opening words of Rule R.R3 to read:  <b><u>“Except in the case of take and use of stored water pursuant to Rule R.R1A the take and use of water from any river.....”</u></b></p> <p>Add new Rule R.R1A as follows</p> <p>Rule R.R1A: Take and Use of Stored Water in the Ruamāhanga Whatua- Restricted Discretionary Activity</p> <p>The take and use of water from any river (including tributaries) or lake in the Ruamāhanga River catchment that has previously been stored for use as part of a water supply scheme pursuant to resource consents authorising damming, diverting and/or taking of water for that purpose is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) The take of previously stored water shall be by</p> <p>(i) the holder of the resource consents for the relevant water supply scheme; or</p> <p>(ii) a person authorised in</p>



Wellington Proposed Natural Resources Plan – Wairarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
			<p>writing by the holder of those resource consents and advised to Greater Wellington Regional Council.</p> <p><i>Matters for Discretion</i></p> <ol style="list-style-type: none"> <li>1. The reasonable and efficient use of water, including the criteria in Schedule Q (efficient use)</li> <li>2. Preventing fish from entering water intakes;</li> <li>3. Measuring and reporting, including the guideline in Schedule S (measuring takes)</li> </ol> <p>Amend Rule R.R2 as follows:</p> <p>Rule R.R2: Taking and using water – discretionary activity</p> <p>The take and use of water in the Ruamāhanga Whatua <b><u>not meeting the conditions of Rule R.R1A</u></b> from:.....</p>
Schedule G	<p>Principle 2</p> <p>Limits to what can be mitigated or offset</p> <p>Consideration of mitigation or biodiversity offsetting is inappropriate when an activity</p>	<p>Excluding sites whose values are irreplaceable is an obvious corollary of a no net loss approach. The rationale for excluding highly vulnerable sites is not apparent. Particular biodiversity habitats by be highly vulnerable but relatively common. In</p>	<p>Amend Principle 2(a) as follows:</p> <p>(a) "where the values of that area are highly-vulnerable or irreplaceable, or"</p>

Wellington Proposed Natural Resources Plan – Wairarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
	<p>has the potential to cause adverse effects, or residual adverse effects, on an area:</p> <p>(a) where the values of that area are highly vulnerable or irreplaceable, or</p> <p>(b) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate mitigation or biodiversity offset.</p>	<p>such instances, an offset (eg to make a similar nearby site less vulnerable) should be able to be considered..</p>	
Schedule I	<p>Important trout fishery and spawning waters in the Wairarapa including:                      Tauweru, Waingawa and Ruamahanga                      Trout spawning Waingawa, Blakes Stream, Atiwhakatu Stream                      Wakamoekau Creek (under Waiohine)                      Tauweru River</p>	<p>Unclear whether tributaries are included. Wakamoekau is listed under Waiohine</p>	<p>Amend to clarify and correct.</p>
Schedule R	<p>Guideline for Stepdown allocations</p>	<p>The provisions governing stepdown need to provide for take and use of stored water as a</p>	<p>Amend the first paragraph as follows:</p>

Wellington Proposed Natural Resources Plan – Wairarapa Regional Irrigation Trust

Provision number	Text	Comment	Relief/Suggestion
		<p>further exception to Table R1, for the reasons set out above in relation to section 4.9</p>	<p>"When <u>natural</u> flows are low, stepped down allocations may be included as conditions of resource consent <u>not involving take and use of previously stored water as part of a water supply scheme</u> when rivers approach minimum flows.</p>

Proposed Natural Resources Plan:

Submitter:

**Diane Strugnell**

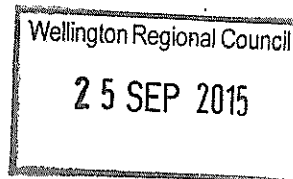
Submitter Number:

**S128**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Diane Strugnell  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 805 Moonshine Road R.D.1 Porirua 5381

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 027 240 1463

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: diane@strugnell.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R36 Agrichemicals (g) (ii) & (iii)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	On large properties, aerial or ground applications may be in a specific area with no possibility of the agrichemical application affecting adjoining or adjacent properties, some of which may be kilometres distant. To require notification in these instances is an unnecessary constraint.
	I seek the following decision from WRC (give precise details): →	That the plan retains the provision for a distance-based notification as in the existing Regional Air Quality Management Plan i.e. "Written notice (either direct notification to individual properties or public notification) is given to all adjacent properties, and places of common public assembly (e.g., schools, kindergartens, offices, etc.) located within 300 metres of the area to be

		sprayed or dusted with agrichemical powder.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R48 Stormwater from an individual property (e) (i) (ii)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Specific measures such as contained in (e) (i) and (ii) are difficult for people to measure without the appropriate tools or knowledge. This therefore makes it difficult to know whether the conditions are, or are not, being met.
	I seek the following decision from WRC (give precise details): →	Clarification on how a condition that contains a specific measure might be anticipated, for example, what might trigger this level of detail being sought or measured for compliance with the condition

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 74 Existing on-site wastewater systems (d)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Specific measures such as contained in (d) are difficult for people to measure without the appropriate tools or knowledge. This therefore makes it difficult to know whether the condition is, or is not, being met.
	I seek the following decision from WRC (give precise details): →	Clarification on how a condition that contains a specific measure might be anticipated, for example, what might trigger this level of detail being sought or measured for compliance with the condition

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 75 New or upgraded on-site wastewater systems (g)	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Specific measures such as contained in (g) are difficult for people to measure without the appropriate tools or knowledge. This therefore makes it difficult to know whether the condition is, or is not, being met.
	I seek the following decision from WRC (give precise details): →	Clarification on how a condition that contains a specific measure might be anticipated, for example, what might trigger this level of detail being sought or measured for compliance with the condition

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_ Date: 25/09/15  
 [Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule 97 Access to the beds of surface water bodies by livestock	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I support an effects-based approach but have concerns about the practical application for farm management.
	I seek the following decision from WRC (give precise details): →	Full consideration of all aspects that ensure water quality is maintained/enhanced to national/regional standards whilst also ensuring realistic and economic farm / stock management and land use.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	





Proposed Natural Resources Plan:

Submitter:

**Alana Bowman**

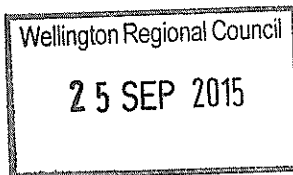
Submitter Number:

**S129**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



### Your details

Full name: Alana Bowman

Organisation name: \_\_\_\_\_  
 (If applicable)

Address for Service: \_\_\_\_\_  
PO Box 24332 Wellington

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Telephone no's:      Work:                                      Home:                                      Cell:

Contact person: \_\_\_\_\_

Address and telephone no (if different from above):                      027 593 1023

### Electronic communication

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Email address: alana.bowman@mac.com

### Trade competition

- I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:
- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number):  Policy CM.P136 and CM.P137	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I believe this achieves an excellent balance between good environmental protection for the Pauatahanui estuary and for uses by boat shed owners.
	I seek the following decision from WRC (give precise details): →	Approval of this provision.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  #.2 Beneficial use and development	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	<p>Specifically I have concern that Jet skis are dominating the Pauatahanui estuary and are not being monitored to ensure they are limited to the restricted space.</p> <p>All activities proposed should be evaluated against the high priority to raise the quality of water in the estuary</p> <p>Council must allocate sufficient staff to monitor and prevent deterioration of the estuary from development and from road works</p> <p>Monitoring and enforcement of collection of shellfish should be increased</p> <p>Increase warnings and posting for dog owners about picking up their waste</p> <p>Increase warnings number of warning signs about fines for dog waste and littering in general</p> <p>Provide containers and assign council staff to pick up the dog waste containers</p>
	I seek the following decision from WRC (give precise details): →	Allocate resources for these proposals

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	Difficult y with this submission process
	I seek the following decision from WRC (give precise details): →	<p>This process is antiquated for on-line submissions - too difficult to use.</p> <p>Does this formal and software conform to the State Services Commission standards for use for people with disabilities?</p> <p>Finding the policy online is nearly impossible</p> <p>Changes to current law should be set out and clearly stated</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Alana Bowman

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

# Proposed Natural Resources Plan:

Submitter:

**Liam Knight**

Submitter Number:

**S130**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Liam Andrew Knight  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 44 Pah Road, Papawai, Greytown, 5794

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0220927036  
 Contact person: Liam Knight  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: liam\_knight@hotmail.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

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**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I <b>wish to have the specific provision amended</b>
Rules: 5.3.4 Treated wastewater Rule R79: Discharge of treated wastewater – controlled activity (l) for spray irrigation, the discharge is not located within:	Reasons for my submission: →	this section should also be amended to include cemeteries and urupa within its scope.
(i) 50m of a surface water body, coastal marine area or property boundary, or (ii) 150m of any marae, schools, shops,	I seek the following decision from WRC (give precise details): →	to amend the scope of the provision to include urupa and cemeteries.

playgrounds, bore used for water abstraction for potable supply, places of work or residential dwellings not on the application property; and		
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rules: 5.3.4 Treated wastewater Rule R79: Discharge of treated wastewater – controlled activity	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I support the rules associated with this provision except for the provision above.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Wastewater Rule R61: Existing wastewater – discretionary activity The discharge of wastewater: (a) into coastal water, or (b) that is an existing discharge into fresh water is a discretionary activity.	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

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[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Liam Knight

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**PF Olsen Limited**

Submitter Number:

**S131**



# Submission on the Proposed Natural Resources Plan for the Wellington Region

INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:



Send to: regionalplan@gw.govt.nz

**Your details:**

Full name: Richard Cook  
Company name: PF Olsen Ltd  
Address1: Unit 3  
Address2: 2 North Point St  
Address3:  
Address4:  
Town: Pilmerton  
Postcode: 5247  
Telephone Work: (04) 894 8901  
Telephone Home:  
Telephone Cell: 297731904  
Email address: [richard.cook@pfolsen.com](mailto:richard.cook@pfolsen.com)

**Trade competition**

Yes /we could not gain an advantage in trade competition through this submission

No /we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

No /we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Yes /we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Attendance and wish to be heard at hearing(s)**

Yes /we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

#1526815

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No I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes If other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 25/09/2015

Interpretation

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Amend

Proposed change is one size fits all approach where we believe erosion prone land is better described under current regional soil plan taking underlying strata (rock, soil, slope erosion susceptibility and vegetation) into account.

Definition and rules around erosion prone land for forestry should remain constant with current soil plan for: "any land within Area 1 with a slope of greater than 23 degrees; and any land within Area 2 with a slope of greater than 28 degrees".

Erosion prone land



**Policies**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

<b>Policy P7: Uses of land and water</b>			
	<b>Amend</b>		Forestry as a land use has not been considered to add cultural, social or economic benefit to the region despite delivering a wide range of benefits including improving water quality, erosion control, carbon sequestration and employment.
			Forestry should be included as a beneficial use of land and water resources







Rules - Land use	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R99: Earthworks— permitted activity	Amend	The new rule states up 3,000m <sup>2</sup> per property per 12 month period can be disturbed. Currently this is 1,000 m <sup>3</sup> of soil within any 10,000 m <sup>2</sup> per 12 month period.	Differentiate and maintain current plan rules for forestry harvesting related earthworks or align with NES-PF rule for earthworks with provision for an erosion and sediment control plan on erosion prone land and available to the council on request.
Rule R100: Vegetation clearance on erosion prone land – permitted activity	Amend	Capacity for aerial desiccation spraying for forest establishment (temporary vegetation clearance) on erosion or non-erosion prone land is not covered as part of this plan.	Add variation to plantation forestry rules to include desiccation spraying as permitted activity.
Rule R101: Earthworks and vegetation clearance – discretionary activity	Amend	Rule 100 is only for vegetation clearance that is on erosion prone land and rule 101 says that "vegetation clearance that is not permitted by Rule 99 or R100 is a discretionary activity" We would like to know what the rules are around vegetation clearance on non-erosion prone land. The way this could be perceived is that vegetation clearance occurring on non erosion prone land will require consent.	Vegetation clearance on non-erosion prone land needs to be outlined as a permitted activity.
Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity	Amend	Similar to above, forestry harvesting activities are permitted on erosion prone land provided when listed conditions are met. What are the proposed conditions on harvesting activities on non-erosion prone land?	Propose two sets of rules, one for harvesting on erosion prone land and one for harvesting on non-erosion prone land.
Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity	Amend	Clause C: States "slash is removed from a surface water body where it is blocking river flow or diverting river flow causing bank erosion". Currently under the rules of beds of rivers and lakes there is no provision for any operations to produce any of these harvesting residues. Therefore cable harvesting across rivers should therefore become a permitted activity in the bed of rivers and streams under the same conditions as rule 102.	See Rule 5.5 Submission.
Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity	Amend	Clause B: States "Disturbed vegetation or soil is not placed where it can dam or divert a surface water body"	We would like to insert "is not deliberately placed" instead of "is not placed"





**Rules - Wetlands and beds of lakes and rivers**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise detail(s)):**

<p>Beds of lakes and rivers general conditions</p>	<p>Currently there is no provision for extracting logs over (not through) beds of rivers during harvest despite Rule 102, clause B or C "slash is removed from a surface water body where it is blocking river flow or diverting river flow causing bank erosion". This seems contradictory as slash would otherwise not accumulate in the river.</p>
<p>Rule R122: Removing vegetation – permitted activity</p>	<p>Not practical for forest harvest operations to adhere to these conditions without encouraging adverse environmental impacts through through large qualities of timber falling into riparian areas as a result of changes to the structural integrity of surrounding forest. These areas then become a health and safety risk to manage.</p>
<p></p>	<p>We want to exclude plantation forestry from Rule 122, subsection k.</p>
<p></p>	<p>Not stated</p>
<p></p>	<p></p>
<p></p>	<p></p>



Proposed Natural Resources Plan:

Submitter:

**Hammond Limited**

Submitter Number:

**S132**



**To:** Wellington Regional Council  
Freepost 3156, PO Box 11646, Wellington 6142

**By email:** regionalplan@gw.govt.nz

**Name of submitter:** Hammond Limited ("Hammond")

**This is a Submission on:** The Proposed Natural Resources Plan for the Wellington Region ("proposed NRP") pursuant to clause 6 of Schedule 1, Resource Management Act 1991

#### **Introduction**

1. Hammond owns a farm property in Greytown and the Papawai and Whakapototo Streams run through the property.
2. Hammond holds consent to take and use water from bores which are connected to the Papawai Stream. Hammond is in the process of obtaining consent to authorise stream clearance activities.
3. Hammond agrees to receive communication about the proposed NRP via email, addressed to: stephenmareehammond@gmail.com; jen.crawford@andersonlloyd.co.nz; jackie.stjohn@andersonlloyd.co.nz.
4. Hammond could not gain an advantage in trade competition through this submission.
5. Hammond provided a submission on the consultation draft NRP in November 2014.
6. Hammond appreciates having this opportunity to submit on the proposed NRP. Below are Hammond's detailed submission points.
7. Hammond wishes to be heard in support of this submission. If others make a similar submission Hammond will consider presenting a joint case with them at a hearing.

The specific provisions of the proposed NRP that this submission relates to are:

Key: strikethrough e.g. abc = delete text; underline e.g. abc = additional text

Provision	Text	Support / Oppose / Amend	Reasons	Relief Sought
Objective O8 (page 38)	The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.	Support	The take and use of water has benefits that should be recognised and supported in the proposed NRP	Retain
Objective O19 (page 39)	The interference from use and development on natural processes is minimised.	Amend	<p>'Natural processes' is defined to mean "Dynamic natural, physical and ecological relationships and events that are characteristically natural in their occurrence and effects, that act to shape the natural environment, its landforms and features, such as ... rivers; and including processes of: ... sediment transport, erosion and deposition, flooding, ...." Accordingly sediment transport, deposition and flooding in the Papawai Stream are natural processes, and this objective seeks to minimise interference with them.</p> <p>Hammond's farming activity necessarily interferes with these natural processes. It includes actions to reduce sedimentation in the stream and natural flooding on the farm property that would adversely impact farm productivity, for instance by regular stream clearance. To the extent that this objective would constrain productive farming activity it is opposed, and an amendment is proposed to recognise that it will not always be possible or appropriate to minimise interference with natural processes.</p>	<p>The interference from use and development on natural processes is minimised <u>where appropriate.</u></p>
Objective O25	To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal	Amend	Although the intent of this objective is broadly supported to 'safeguard' is the equivalent of to 'protect'. This is too	To safeguard <u>provide for</u> aquatic ecosystem health

<p>(page 41)</p>	<p>marine area:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health and mahinga kai, and</p> <p>(b) restoration of aquatic ecosystem health and mahinga kai is encouraged, and</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p>	<p>absolute and could prevent allocation of water for abstraction or storage if ecosystem health or mahinga kai could not be maintained.</p> <p>'Restoration' is defined to mean "The rehabilitation of sites, habitats or ecosystems to support indigenous flora and fauna, ecosystem functions and natural processes that would naturally occur in the ecosystem and locality." Some waterbodies have already been significantly modified and restoring them may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.</p> <p>In terms of clause (c) Table 3.4 is relevant to Papawai stream which runs through Hammond's property. Papawai Stream appears to fall into class 6, Lowland Small. It is not a significant river identified in Schedule F1. Broadly Hammond supports the freshwater objectives and the goal of improving waterbodies over time to meet those objectives. However there may be some instances where improvements are difficult, costly and not practicable and the objective should be modified to recognise that.</p>	<p>and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain <u>provide</u> for aquatic ecosystem health and mahinga kai, and</p> <p>(b) restoration of aquatic ecosystem health and mahinga kai is encouraged <u>where appropriate</u>, and</p>
<p>Objective O30 (page 45)</p>	<p>The habitat of trout identified in Schedule I (trout habitat) is maintained and improved.</p>	<p>Papawai Stream has been identified in Schedule I as having trout habitat values. This is a surprise to Hammond as for generations the stream has been considered a farm drain and no such values have been recognised in any planning instruments. The stream is located within a working farm environment and existing activities rely on a degree of interaction with the stream.</p> <p>It is suggested that it should be sufficient to maintain trout habitat, and not to also require improvement. Instead improvements could be made where appropriate</p>	<p>The habitat of trout identified in Schedule I (trout habitat) is <u>maintained</u> and <u>where appropriate improved over time</u>.</p>



Objective O33 Mana Whenua (page 45)	Sites with significant mana whenua values are protected and restored.	Amend	(not in every situation) and over time.  The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.  Sites with significant mana whenua values should be appropriately recognised. However, "protected and restored" is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site. It is suggested that "protected and restored" is replaced with wording which more appropriately responds to these circumstances.	Sites with significant mana whenua values are <u>recognised and protected</u> and <u>restored where appropriate.</u>
Objective O35 (page 45)	Ecosystems and habitats with significant indigenous biodiversity values are protected and restored.	Amend	As submitted in relation to objective O25, restoration of significantly modified waterbodies may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.	Ecosystems and habitats with significant indigenous biodiversity values are <u>protected and restored where appropriate.</u>
Objective O52 (page 47)	The efficiency of allocation and use of water is improved and maximised through time, including by means of:  (a) efficient infrastructure, and  (b) good management practice, including irrigation, domestic municipal and industry practices, and  (c) maximising reuse, recovery and recycling of water and contaminants, and  (d) enabling water to be transferred between users, and	Support	Hammond generally supports inclusion of an objective directed toward efficient use of water, good management practice and water storage.  More efficient use of water will allow water to become available for use by new and existing water users in catchments that are fully allocated.  This is consistent with Objective B3 and Policies B2 to B4 of the National Policy Statement Freshwater Management (NPSFM), section 7(b) and (ba) of the RMA, and Policies 20, 44 and 45 of the RPS.	Retain

Policy P4: Minimising adverse effects (page 50)	(e) enabling water storage outside river beds.  Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include:  (a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and  (b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and  (c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and  (d) using good management practices for reducing the adverse effects of the activity, and  (e) designing the activity so that the scale or footprint of the activity is as small as practicable.	Amend	Hammond seeks an amendment to clause (b) to recognise that in some circumstances it will not be possible to locate the activity away from areas identified in Schedule C. For instance, Papawai Stream runs through Hammond's existing farm operation and is identified in Schedule C. Some farming related activities may have unavoidable adverse effects on this area, but they cannot be located elsewhere.  Hammond opposes use of "avoid" in clause (c) unless it is qualified to recognise that farming operations could be severely impacted if activities had to be avoided at various times of the year.	(b) where practicable locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and  (c) timing the activity, or the adverse effects of the activity, where practicable to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and
Policy P6: Synchronised expiry and review dates (page 50)	Resource consents may be granted with a common expiry or review date within a whatua or sub-catchment, if:  (a) the affected resource is fully allocated or over-allocated, or  (b) the exercise of the resource consent may	Support	Hammond supports a consistent and integrated approach to water management. Taking water at an upstream location in a catchment should be treated equally to taking water at a downstream location, and this can be achieved if consents are assessed together.	Retain

<p>Policy P7: Uses of land and water (page 50)</p>	<p>impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that whaitua or sub-catchment.</p> <p>The cultural, social and economic benefits of using land and water for: ...</p> <p>(h) irrigation and stock water, and ... shall be recognised.</p>	<p>Amend</p>	<p>Hammond supports policy recognition for the cultural, social and economic benefits of using land and water, in particular clause (h) irrigation. It is submitted that farming activities should also be recognised as beneficial. This would recognise families, like Hammond, who derive their livelihoods from working with natural resources on land that they hold under freehold tenure. It would provide policy support for an economically and socially beneficial activity and bring balance to the proposed NRP, particularly when other policies that promote natural processes, aquatic ecosystem health, mahinga kai and suchlike are considered.</p>	<p>Add: (l) farming</p>
<p>Policy P8: Beneficial activities (page 51)</p>	<p>The following activities are recognised as beneficial and generally appropriate:</p> <p>(a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values, and .....</p> <p>(d) removal of aquatic weeds and pest plants, and ...</p>	<p>Support</p>	<p>Hammond supports policy recognition of beneficial activities, in particular clause (d) removal of aquatic weeds and pest plants.</p>	<p>Retain</p>
<p>Policy P20: Exercise of kaitiakitanga (page 54)</p>	<p>Kaitiakitanga shall be recognised and provided for by:</p> <p>(a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana</p>	<p>Partial support</p>	<p>It appears that this policy promotes co-governance and shared decision making with tangata whenua in respect of sites of significance, such as Papawai Stream. Hammond is not opposed to this in principle but suggests the proposed NRP should provide more detail of how this might occur in the context of resource consent applications and decisions.</p>	<p>Add detail into proposed NRP to identify how co-governance and shared decision-making will function in practice in the context of resource consent applications and decisions.</p>

	<p>(b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and</p> <p>(c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa.</p>			
<p>Policy P26: Natural processes (page 56)</p>	<p>Use and development will be managed to minimise effects on the integrity and functioning of natural processes.</p>	<p>Amend</p>	<p>As mentioned in respect of Objective O19, Hammond's farming activity necessarily 'interferes' with natural processes. It includes actions to reduce sedimentation in the stream and natural flooding on the farm property that would adversely impact farm productivity, for instance by regular stream clearance. To the extent that this policy would constrain productive farming activity it is opposed, and an amendment is proposed to recognise that it will not always be possible or appropriate to minimise interference with natural processes.</p>	<p>Use and development will be managed to minimise effects on the integrity and functioning of natural processes where appropriate.</p>
<p>Policy P31: Aquatic ecosystem health and mahinga kai (page 58)</p>	<p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:</p> <p>(a) minimise adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and</p> <p>(b) minimise adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands</p>	<p>Amend</p>	<p>As submitted previously, restoration of aquatic ecosystem health and mahinga kai in significantly modified water bodies may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.</p> <p>Hammond supports clause (g) restrictions on the spread of aquatic pest plants which would help to maintain ecosystem health and mahinga kai.</p>	<p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:...</p>

	<p>and coastal habitats, and</p> <p>(c) minimise adverse effects on habitats that are important to the life cycle and survival of aquatic species, and</p> <p>(d) minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</p> <p>(e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(f) minimise adverse effects on riparian habitats and restore them where practicable, and</p> <p>(g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals</p>		
<p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai (page 58)</p>	<p>Significant adverse effects on aquatic ecosystem health and mahinga kai shall be managed by:</p> <p>(a) avoiding significant adverse effects, and</p> <p>(b) where significant adverse effects cannot be avoided, remedying them and</p> <p>(c) where significant adverse effects cannot be remedied, mitigating them, and</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.</p> <p>Proposals for mitigation and biodiversity offsetting</p>	<p>Partial support</p> <p>Clause (d) seems inconsistent with Policy 45 which says "Offsetting of effects in sites with significant mana whenua values [identified in Schedule C] is inappropriate".</p>	<p>Seek consistency in approach to offsetting, preferably an approach that provides for offsetting where appropriate.</p>

<p>Policy P44 Protection and restoration (page 61)</p>	<p>will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p> <p>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and restored</p>	<p>Amend</p>	<p>The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.</p> <p>Sites with significant mana whenua values should be appropriately recognised. However, "protected and restored" is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site. It is suggested that "protected and restored" is replaced with wording which more appropriately responds to these circumstances, for example "recognised and appropriately protected and restored"</p>	<p>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be <u>recognised and</u> protected and restored where appropriate.</p>
<p>Policy P45 managing adverse effects (page 61)</p>	<p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided, a cultural impact assessment must be undertaken by the relevant iwi authority or iwi tikanga and kaupapa Maori as recommended in the cultural impact assessment by:</p> <ul style="list-style-type: none"> <li>(a) avoiding more than minor adverse effects, and</li> <li>(b) where more than minor adverse effects cannot be avoided, remedying them, and</li> <li>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</li> </ul>	<p>Amend</p>	<p>The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.</p> <p>Sites with significant mana whenua values should be appropriately recognised. However, a requirement to <b>avoid</b> activities within this site is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site.</p> <p>Further, the requirement to <b>avoid</b> sites of significance applies to all "activities" and has no link to the effects of those activities on the mana whenua values identified. It is submitted that this policy would be more appropriately worded so that activities in sites of significance are "avoided where they would result in adverse effects on</p>	<p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided <u>where they would result in adverse effects on the mana whenua values for which the site is identified</u>. If the site cannot be avoided and consent is required for the activity, a cultural impact assessment must be undertaken by the relevant iwi authority or iwi authorities. ...</p> <p>Where more than minor adverse effects on sites with significant mana whenua</p>

	<p>(d) receiving written consent of the iwi authority.</p> <p>Where more than minor adverse effects on sites with significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant mana whenua values is inappropriate.</p>	<p>the mana whenua values for which the site is identified".</p> <p>It is suggested that the wording be clarified so that it applies where the site cannot be avoided "and consent is required for the activity". It is not anticipated that Council would require a cultural impact assessment if the activity is otherwise permitted.</p> <p>It is of concern that the requirement to obtain a CiA will lead to additional costs for resource consent applications pertaining to these sites.</p> <p>The Policy requires written consent of the iwi authority to be obtained in order to demonstrate that the adverse effects of activities are being managed in accordance with tikanga and kaupapa Maori. It is unclear what it will mean to the activity if iwi consent is not received.</p> <p>It is submitted that some qualification should be made to the finding that the activity is "inappropriate" in the final paragraph. This finding is against an assessment of policy considerations for sites of significance to mana whenua, but not against other considerations, for example the necessity of the activity to avoid, remedy or mitigate a natural hazard such as flooding.</p> <p>The statement "Offsetting of effects in sites with significant mana whenua values is inappropriate" appears inconsistent with Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai "(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets." It is suggested that P45 should be modified to be consistent with P32, and to provide for offsets where appropriate.</p> <p>There are limitations to the effectiveness of site-based protections for values that are largely affected by whole</p>	<p>values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity <u>is may be considered inappropriate.</u> Offsetting of effects in sites with significant mana whenua values <u>is may be considered inappropriate.</u></p>
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<p>Policy P114 Supplementary allocation amounts at flows above the median flow (page 83)</p>	<p>When the total take and use of water allocated by resource consents above minimum flows or water levels exceeds the core allocation amount, the take and use of water shall be allocated according to the following priorities, in order of importance:</p> <ul style="list-style-type: none"> <li>(a) the health needs of people, and</li> <li>(b) stock drinking water, and</li> <li>(c) other values.</li> </ul>	<p>Partial support</p>	<p>The policy sets out resource consenting priorities for taking water when rivers are flowing above minimum flows but demand exceeds the amount of water available. Hammond seeks clarification as to what "other values" are referred to in clause (c).</p>	<p>Clarify what "other values" means</p>
<p>Policy P115 takes below minimum (page 83)</p>	<p>The take and use of water may be authorised below minimum flows or lake levels established in whatia chapters of the Plan (chapters 7-11) for:</p> <ul style="list-style-type: none"> <li>(a) the health needs of people as part of group drinking water supply or community drinking water supply, and</li> <li>(b) the water used by industry from a community drinking water supply for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</li> <li>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</li> </ul>	<p>Support</p>	<p>The draft consultation NRP had proposed a requirement to cease take at minimum flows. Subsequently an economic assessment of the implications for existing consent holders was carried out and reported (Harris 2015). This report considered effects on resource consent holders of changing from the regime in resource consents to a regime of ceasing take at minimum flows.</p> <p>The Report concluded 'the greatest focus should be on the likely impacts for those in the Waipoua, Mangatarere, Papawai and Waingawa since these irrigators are likely to suffer considerable financial loss as a result of the changes.</p> <p>This regime has not been included in the proposed NRP, which Hammond considers is positive. Instead, clause (d) requires the taking of category A groundwater to reduce by 50% of the consented amount at minimum</p>	<p>Retain</p>



	<p>(i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p> <p>(ii) the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(e) category B groundwater (directly connected), category B groundwater (not directly connected) and category C groundwater.</p>		<p>flows, which reflects the current approach taken when existing resource consents are renewed or new consents are considered. While this approach is better than the 'cease take' regime it is noted there will still be a cost to existing users taking groundwater without restriction when they renew their existing resource consents and are required to reduce their takes by 50% of the amount of water available above minimum flows.</p>	
<p>Policy P116: Reallocating water (page 84)</p>	<p>Water that becomes available from resource consents that are surrendered, lapsed, cancelled or not replaced, and by existing resource consents that are replaced for a lesser amount shall not be reallocated if the core allocation identified in Rules R.R1, WH.R1 and K.R1 in the whatua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	<p>Support</p>	<p>This policy does not allow water freed up by existing resource consents to be re-allocated in fully allocated management units if the core allocation amounts are exceeded - it provides a "sinking lid" on re-allocation of water. Hammond is generally supportive of this, provided that when allocation amounts are no longer exceeded the water is made available for reallocation.</p>	<p>Retain</p>
<p>Policy P 118 reasonable and efficient use (page 84)</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:</p> <p>(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	<p>Support</p>	<p>Hammond generally supports policy which requires reasonable and efficient use of water.</p>	<p>Retain</p>

	<p>operative to meet the criteria, and</p> <p>(b) maximising the efficient use of water when designing systems to convey or apply water, and</p> <p>(c) industry guidelines, and</p> <p>(d) water use records.</p>			
<p>Policy P106 management of plants in the beds of lakes and rivers (page 80)</p>	<p>The introduction to and removal of plants from the beds of lakes and rivers shall be managed so that:</p> <p>(a) pest plants are not introduced and their removal is enabled, and</p> <p>(b) indigenous plant species are encouraged to be planted where they are appropriate and their removal is only enabled where it is necessary to manage flooding and erosion, and</p> <p>(c) the introduction or removal of plants does not increase flooding and erosion either at the site of introduction or removal or across the wider river catchment, and</p> <p>(d) the introduction or removal of plants does not adversely affect significant biodiversity values of the site.</p>	Amend	<p>Inclusion of a policy which specifies relevant considerations in the management of aquatic plants is supported, in particular clause (a) which seeks to enable the removal of pest plants.</p> <p>It may not always be possible to avoid adverse effects upon significant biodiversity values of a site when plants are removed, yet adverse effects may be able to be appropriately remedied or mitigated. An amendment should be made to clause (d) to recognise that.</p>	<p>(d) any adverse effects on significant biodiversity values of the site from the introduction or removal of plants <del>does not adversely affect significant biodiversity values of the site are remedied or mitigated.</del></p>
<p>Table 7.1 minimum flow for Papawai Stream (page 251)</p>	<p>Minimum flow for Papawai Stream upstream of the confluence with the Ruamahanga River at the Fabians Road recorder is 180 litres per second.</p>	Support	<p>The location for measurement of the minimum flow, and the minimum flow proposed, are supported</p>	Retain
<p>Table 7.3 allocation limit</p>	<p>Surface water allocation amounts for rivers and groundwater directly connected to surface water in the Ruamahanga river catchment above the lake</p>	Oppose	<p>The minimum flow should be increased to reflect current consented allocation. A minimum flow of 65 litres per</p>	<p>Increase minimum flow to reflect current consented</p>

for Papawai stream (page 252)	wairarapa outflow - Catchment management sub-units in the middle Ruamahanga catchment – Papawai Stream and tributaries and category A groundwater – allocation amount 65 litres per second		second is significantly lower than the allocation currently consented. Consideration of consent applications, including as recently as 2014, has confirmed that allocation in excess of 65 litres per second is sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the stream.  Hammond recently renewed its water take consent and in that process transparently indicated it would invest significantly to upgrade infrastructure, which would lead to greater water use efficiencies. At that time there was no indication given to Hammond of a likely lower minimum flow. An allocation limit of 80 litres per second was granted. Having now made an investment in infrastructure to utilise the 80 l/s Hammond submits that this reduced minimum flow would adversely impact farming operations.	allocation.
Rule R1 Outdoor burning – permitted activity (page 96)	The discharge of contaminants into air from outdoor burning is a permitted activity, provided the following conditions are met:  (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and  (b) there is no burning of specified materials.	Support	Hammond supports this Rule.	Retain
Rule R89 Farm refuse dumps – permitted activity (page 146)	(g) there is no burning of the contents of a farm	Amend	Hammond supports this permitted activity, however seeks deletion of clause (g), which prohibits burning of farm refuse. Provided burning is properly managed, and the refuse content does not include specified materials, it is a safe and effective method of refuse disposal. This is recognised by Rule R1 Outdoor burning – permitted	... (g) there is no burning of the contents of a farm refuse dump, and...

Rule R90 Manufacture and storage of silage and compost – permitted activity (page 147)	refuse dump, and ... The discharge of contaminants onto or into land, and the associated discharge of odour, from the manufacture and storage of silage or compost is a permitted activity, provided the following conditions are met: (a) the manufacture and storage area shall not be located within 20m of a surface water body, coastal marine area, or bore used for water abstraction for potable supply, and (b) the discharge does not contain: (i) hazardous substances, or (ii) wastewater, offal or dead animal matter, and (c) stormwater is prevented from entering into the manufacture or storage area, and (d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and (e) the discharge of odour is not offensive or objectionable beyond the boundary of the property.	Amend	activity. Hammond supports this permitted activity, however seeks an amendment to clause (d), which requires the walls and floor of a silage storage area to have an impermeable lining able to withstand corrosion. In practice farmers often create storage areas in a field without impervious wall and floors but in all other respects comply with the permitted activity conditions. This requirement would lead to unnecessary cost and additional consenting.	(d) the walls and floor of a silage storage area shall <u>where practicable</u> have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and
Rule R135 general rule for take, use, damming (page 179)	The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.	Amend	This rule would apply to both new applications for consent and applications to renew existing consents. In the case of renewals, consent holders have often committed considerable resources to infrastructure to utilise the consent and are reliant on continued consent for the viability of their operation. It is requested that a restricted discretionary activity rule for renewals is inserted to provide for appropriate consideration of relevant effects while providing greater certainty as to the	Retain Rule 135 and add new restricted discretionary rule for applications to renew existing consents.

	approach taken to re-consenting.		
Schedule C5 & Map 7 – Sites of significance	Hammond understands that it is the bed of the Papawai stream which has been identified as a site of significance, however the proposed NRP only includes a notation "Papawai" with a small red line and is not of sufficient scale to identify the extent of the site. Hammond Limited seeks clarification and specification of the extent of the site of significance.	Amend	Provide greater clarity on extent of site of significance – Papawai Stream
Schedule I & Map 22. Important trout fishery & spawning rivers	Papawai stream has been identified as an important trout fishery and spawning river. Hammond seeks clarification and specification of the values of the stream, and the areas where those values are located.	Oppose	Delete reference to Papawai Stream

**Further Relief Sought**

8. In addition to the matters set out in the table above, Hammond seeks the following relief:
- (a) Any similar relief with like effect which addresses Hammond's concerns; and
  - (b) Any consequential amendments which arise from Hammond's submission, the reasons for the submission or the relief sought.

Date: 25 September 2015



**Hammond Limited**  
 By its solicitors and duly authorised agents  
**ANDERSON LLOYD**  
 Per: Jen Crawford / Jackie St John

**Address for service of submitter:**

c/- Anderson Lloyd Lawyers

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[jackie.sjohn@andersonlloyd.co.nz](mailto:jackie.sjohn@andersonlloyd.co.nz)



Proposed Natural Resources Plan:

Submitter:

**Greater Wellington Regional Council**

Submitter Number:

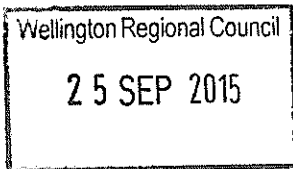
**S133**





#1526433

8.133



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

25<sup>th</sup> September 2015

Wellington Regional Council  
PO Box 11 646  
Manners Street  
Wellington  
6142

Shed 39, Harbour Quays  
PO Box 11646  
Manners Street  
Wellington 6142  
T 04 384 5708  
F 04 385 6960  
[www.gw.govt.nz](http://www.gw.govt.nz)

For: Jonathan Streat

Dear Jonathan,

### Submission on Proposed Natural Resources Plan

Please find enclosed the Greater Wellington Regional Council's submission on the proposed Natural Resources Plan for the Wellington Region.

Yours sincerely

A handwritten signature in black ink, appearing to read "Greg Campbell".

Greg Campbell  
Chief Executive, Wellington Regional Council

Encl: Submission







## Greater Wellington Regional Council: Submission

To:	Wellington Regional Council
Submission on:	Proposed Natural Resources Plan for the Wellington Region

### 1. Reason for submission

- 1.1 The Wellington Regional Council (WRC) wishes to make a submission on the Proposed Natural Resources Plan for the Wellington Region (proposed Plan) pursuant to Schedule 1 of the Resource Management Act 1991 (RMA).
- 1.2 GWRC has identified some errors and unintended consequences in drafting the proposed Plan and wishes to amend the proposed Plan.
- 1.3 The main reasons for our submission on the proposed Plan are to:
  - align the drafting of provisions to the intended direction of the proposed Plan as expressed in Committee papers and the section 32 evaluation reports
  - rectify oversights where the drafting of the rules has resulted in activities requiring resource consent where this was not intended
  - rectify errors in drafting that require a submission to ensure that they are resolved during the hearing process.

A more detailed reason for each submission point is included in the attached table.

### 2. Relief sought

- 2.1 Please find attached a table that outlines the main body of the WRC submission detailing the relief sought and the reasons for the requested change.
- 2.2 Additionally WRC requests any consequential changes to the provisions as a result of the main changes outlined in the below table.

### 3. Further involvement

GWRC wishes to be heard in support of its submission.





greater WELLINGTON  
REGIONAL COUNCIL

A handwritten signature in black ink, appearing to read 'Greg Campbell', positioned above a dotted line.

.....  
**Greg Campbell**  
**Chief Executive, Wellington Regional Council**

**Address for service:**

Rachel Pawson  
Senior Policy Advisor, Environmental Policy  
Greater Wellington Regional Council  
PO Box 11646  
Manners Street  
Wellington 6142

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F 04 385 6960



Specific provisions of the plan that the submission relates to are:

Provision	Oppose/ Support/ Amend	Relief sought	Reason
Cultivation – definition	Amend	Amend the definition to exclude 'strip-tilling'	This is an error. The section 32 analysis supports the exclusion of 'strip-tilling' from the definition of cultivation
Open fire – definition	Oppose	Delete definition	The definition is only referred to in a note to Rule R6 that refers to the requirements of the Resource Management (National Environmental Standards for Air quality) Regulations 2004. It is not considered appropriate for the regional plan to define open fire for the purposes of these regulations alone.
Plantation forestry harvesting – definition	Amend	Amend the definition to define plantation forestry harvesting rather than plantation forestry.	The definition as proposed defines plantation forestry rather than plantation forestry harvesting. The intention of the relevant rules (Rules R102 and R103) is to control only the harvest activity. To avoid doubt the definition of plantation forestry harvesting should be amended.
Rule R4: Pyrotechnics	Amend	Amend the rule to permit both private and public displays of pyrotechnics.	The intention of Rule R4 is to permit all pyrotechnics both private and public displays. They are also exempt from the burning of specified materials definition. Including the word 'commercial' in the rule creates unnecessary confusion over private/domestic displays.
Rule R14 and Rule R15 - Spray coating	Amend	Amend the rules to be more inclusive of other products, such as water-based paints, used in a spray booth.	This rule does not cater for water based paints - which the car industry is moving towards. Water based paints do not have a toxic discharge but it is still a discharge from an industrial premise, so would require a consent under the proposed Plan as Rules R14 and R15 only permits certain surface coatings.





New permitted activity rule (associated with Rule R31)	Amend	Amend to permit the refinement of sugars, roasting or drying of berries, grains or plant matter (except roasting of green coffee beans in Rule R30) curing by smoking, flour or grain milling, baking, roasting, deep fat or oil frying not exceeding 250kg/hour of product subject to standard air condition in respect of odour, smoke and dust over the boundary.	Rule R31 is intended to cover-off all industrial food processing in one rule. In respect of condition (f) the intention of the proposed Plan is that any refinement process not exceeding the threshold of 250kg/hr of product would be permitted subject to the standard air condition in respect of odour, smoke and dust over the boundary. However, this intention is not clear.
Rule R37: Agrichemicals into water	Amend	Amend to permit with no conditions the spraying of agrichemicals into stock dams, ponds and other artificial places. The conditions on this rule should only relate to surface water bodies as defined by the proposed Plan.	This rule permits the discharge of agrichemicals into water. This is needlessly restrictive in respect of stock dams, ponds and other artificial places which are included in the definition of 'water'. The intention of the Plan is to permit the discharge of agrichemicals into stock dams, ponds and other artificial places subject to no conditions. The permitted activity conditions should only apply to surface water bodies as defined in the plan.
Rule R42: Minor discharges	Amend	Amend to include a condition that does not permit the discharge of hazardous substances under Rule R42.	The omission of this condition is an oversight as the intention of the proposed Plan is to allow only minor discharges through this Rule R42.
Rule R57: Hazardous substances	Amend	Amend to reflect the correct rule structure of the proposed Plan by removing reference to Rules R87, R88, and R93 and including reference to Rule R56.	Rule R57 was intended to be the final resting place for any discharge of a hazardous substance into water or onto land where it may enter water. The one exception is invertebrate toxicant agents which default to Rule R93. The rule structure described within Rule R57 does not follow the actual rule structure of the plan. This is a drafting error.
Rule R90: Manufacture and storage of silage and compost	Amend	Amend to require commercial (or large scale) compost manufacturing to control seepage in accordance with condition (c) of Rule R90.	Condition (d) there is no requirement for control of seepage from commercial (or large scale) compost manufacturing, only for commercial and non-commercial silage. This is not the intention of the proposed Plan as silage and composting have similar effects.



Rule R90: Manufacture and storage of silage and compost	Amend	Amend condition (b)(ii) to include all components of human sewage not just wastewater.	Condition (b)(ii) requires that the discharge does not contain wastewater. Wastewater is defined and does not include sludge. The composting of human sewage sludge is not intended to be permitted by this rule.
Rule R102: Plantation forestry harvesting on erosion prone land	Amend	Amend to delete "any earthworks associated with..." from the beginning of the sentence in condition (e).	Rule R102 controls plantation forestry harvesting. Condition (e) should apply to plantation forestry harvesting not just associated earthworks. This is an error in the drafting of this rule.
Rule R112: Maintenance, repair, replacement, upgrade, or use of an existing structure	Amend	Amend condition (g) so that (i) and (ii) are both as at the date of public notification of the proposed plan.	Both clauses (i) and (ii) are intended to only allow an increase in relation to the structure as at the date of public notification of the proposed Plan. An amendment is recommended to clarify.
Rule R123: Planting	Amend	Amend rule to permit the planting of appropriate non-native species in Schedule F sites for identified purposes such as flood protection and erosion control.	Rule R123 does not allow the planting of native plants in Schedule F (indigenous biodiversity). A blanket restriction related to biodiversity sites to exclude non-natives was an oversight and an amendment is proposed.
Rule 140: Dewatering	Amend	Amend Rule R140 to only permit the take of water not the associated discharge of water.	The note below Rule R140 states that discharges to water associated with diversion are controlled by Rule R42. Rule R140 should only relate to the take of water. An amendment is recommended to clarify.
Rule R141: Take and use of water	Amend	Amend condition (b) to state "...shall not exceed 20m <sup>3</sup> per day..."	This is an error in drafting the rule.



Rule R191: Disturbance associated with beach grooming	Amend	Amend to include the requirement that beach grooming activities controlled by this rule meet the coastal management general conditions.	Disturbance associated with beach grooming activities should be subject to the coastal management general conditions. This is an error in drafting the rule.
Rules R.R1, WH.R1 and K.R1	Amend	Amend matter of discretion No. 8 to read "For a take and use in category B groundwater, whether the water is taken from groundwater directly connected to surface water or groundwater not directly connected to surface water"	Matter of discretion No. 8 does not make sense. This is a drafting error in the matter of discretion.
Table 7.3	Amend	Amend Row 14 to read: Ruamāhanga River and tributaries upstream of the confluence with the Papawai Stream, category A groundwater and category B groundwater (directly connected), excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3) Amend Row 17 to read: Lower Ruamāhanga River and tributaries upstream of (but not including) the confluence with the Lake Wairarapa outflow; category A groundwater and category B groundwater (directly connected), and excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)	Row 7 of Table 7.3 reads "Ruamāhanga River and tributaries upstream of the confluence with the Waingawa River, category A groundwater and category B groundwater (directly connected), excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)". Rows 14 and 17 of Table 7.3 should also include the reference to "category A groundwater and category B groundwater (directly connected)". This is a drafting error.
Table 10.3	Amend	Amend the allocation amount in Table 10.3 for the row "Raumati category B groundwater (not directly connected)" from 810,000 to 1,229,000.	Table 10.3 shows the zone to be over allocated, when the actual allocation is 76%. This is an error in drafting the table.



Schedule F3: Known Significant wetlands	Amend	Remove Rerewhakaaitu Rivermouth from Schedule F3.	This is an error. The Rerewhakaaitu Rivermouth site was considered during the development of Schedule F3 but did not meet the criteria for significance.
Schedule F3: Known Significant wetlands	Amend	Remove "269-281 SH1 Ōtaki" from Schedule F3.	This is an error. The 269-281 SH1 Ōtaki site should not be on this list. There is no evidence of a wetland in KCDC heritage register and no wetland has ever been delineated there
Schedule R	Amend	Amend the flow at which takes shall reduce for the Parkvale Stream from 120L/sec to 150L/sec.	This is an error in drafting the schedule.





Proposed Natural Resources Plan:

Submitter:

**Imperial Tobacco New Zealand**

Submitter Number:

**S134**





**Appendix 1: Data from GRWC's Complaints Register  
(1 August 2014 – 31 July 2015)**

<b>Total Odour Complaints by Source</b>		
<b>Source</b>	<b>Number</b>	<b>% of Total</b>
Aircraft	1	0.2%
Commercial	52	9.8%
Construction	3	0.6%
Domestic	13	2.4%
Earthworks	1	0.2%
Farm	31	5.8%
Fuel Storage	1	0.2%
Industrial	6	1.1%
Landfill	3	0.6%
Manufacturing	30	5.6%
School	1	0.2%
Unknown	18	3.4%
Utilities	23	4.3%
Vehicle	1	0.2%
Waste Processing	347	65.3%
<b>Total</b>	<b>531</b>	<b>100%</b>

<b>Total Odour Complaints by Manufacturing Source</b>		
<b>Subtype</b>	<b>Number</b>	<b>% of Total</b>
Brewery	2	6.7%
Coffee	4	13.3%
Meatworks	11	36.7%
Tobacco	5	16.7%
Unilever	8	26.7%
<b>Total</b>	<b>30</b>	<b>100%</b>

<b>Action</b>	<b>Number</b>	<b>% of Total</b>
ADVICE LETTER SENT	2	6.7%
FORMAL WARNING ISSUED	0	0.0%
INFRINGEMENT NOTICE ISSUED	0	0.0%
NO ENFORCEMENT ACTION NEC	25	83.3%
SITE VISIT	0	0.0%
TRANSACTION ACKNOWLEDGED	3	10.0%
<b>Total</b>	<b>30</b>	<b>100%</b>

Type of Action by Manufacturing Source							
Manufacturing Source	Advice letter sent	Formal warning issued	Infringement notice issued	No enforcement action necessary	Site visit	Transaction acknowledged	Total
Subtype	Number						
Brewery	0	0	0	2	0	0	2
Coffee	1	0	0	2	0	1	4
Meatworks	0	0	0	9	0	2	11
Tobacco	1	0	0	4	0	0	5
Unilever	0	0	0	8	0	0	8
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>25</b>	<b>0</b>	<b>3</b>	<b>30</b>

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Clémence Dubois

Organisation name: (If applicable) Imperial Tobacco New Zealand

Address for Service: c/o Kirsty Austin  
 4Sight Consulting  
 PO Box 25356, Featherston Street, Wellington

Telephone no's: Work: 021 075 8818 Home: n/a Cell: 021 075 8818

Contact person: Kirsty Austin, Senior Policy and Planning Consultant, 4Sight Consulting

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: kirstya@4sight.co.nz

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

- I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
Section 5.1.8 (food, animal or plant matter)  Rule R31 (food, animal or plant matter manufacturing and processing - discretionary activity)	Reasons for my submission: →	Imperial Tobacco New Zealand (ITNZ) operates a tobacco manufacturing facility at Richmond Street, Petone. The site has been used for this purpose since 1928.  ITNZ's activities are currently subject to resource consents under both the Lower Hutt District Plan and Greater Wellington Regional Freshwater Plan. The activities have not required resource consent for discharges to air. ITNZ's air discharge activities are currently permitted under Rule 5 (processing of animal and plant matter) of the Operative Regional Air Quality Management Plan. However, as a result of proposed Rule R31 of the

Proposed Natural Resources Plan (Proposed NRP), these same air discharges will now require resource consent for a discretionary activity.

ITNZ opposes the wording of proposed Rule R31 which results in tobacco manufacturing being classified as a discretionary activity (specifically clause (f) which refers to the drying of plant matter exceeding 250kg/hour of product). ITNZ considers a permitted activity status to be more appropriate to the potential effects occurring from its air discharges, and consistent with the other rules proposed in Section 5.1.8 (Rules R29 - alcoholic beverage production and Rule R30 coffee roasting). Pursuant to section 32A of the Resource Management Act, ITNZ also opposes the rules in Section 5.1.8 on the basis that the Section 32 report does not provide adequate assessment to justify the different activity status applied to different activities in Section 5.1.8 or the limits imposed by proposed Rule R31.

The approach in the Proposed NRP represents a significant change for tobacco manufacturing from the Regional Air Quality Management Plan, without providing sufficient detail to justify such a change. We have reviewed the 'Section 32 Report: Air quality management' and associated research: 'Permitted Activities Thresholds Report' (Beca, 2012) and 'Effectiveness Report' (GWRC, 2008) and are concerned that while the overall approach to provisions relating to industrial air discharges are evaluated (Option 2), the specific rules proposed in Section 5.1.8 (Rules R29, R30 and R31) are not. Furthermore, there is no analysis that indicates that air discharges from tobacco manufacturing create greater adverse effects than those activities permitted by Rules R29 and R30, or that the other activities captured by Rule R31 produce similar adverse effects to tobacco plant manufacturing.

In particular we note:

- Proposed Rule R31 has originated from Rule 4.5.1 the Auckland Council Regional Plan: Air, Land and Water (as noted in the research entitled 'Permitted Activity Thresholds'). However, there is no tobacco manufacturing undertaken in Auckland and there is no analysis provided as to whether this rule is appropriate to effects created by air discharges from tobacco processes. For example, the Section 32 report and associated research do not assess the relevance of the 250kg/hour product threshold in terms of managing effects from tobacco plant manufacturing.
- The Section 32 report and 'Effectiveness Report' do not refer to, or analyse, the effects of air discharges from tobacco manufacturing. The 'Effectiveness Report' identifies ten sources that create that more than 90% of odour complaints. None of these sources are tobacco manufacturing premises. The 'Effectiveness Report' also states that many of the odour complaints that GWRC receives are related to activities with air discharge consents as opposed to activities that are permitted under the Regional Air Quality Management Plan (such as ITNZ's activities).
- There is minimal reference to tobacco manufacturing in the 'Permitted Activities Thresholds Report'. The report notes that "odour related to industrial manufacturing is alleged to occur from industries such as tobacco manufacture (no consent required) and soap powder manufacture (consented). It is considered that coffee roasting could potentially also fall into this category." However, we note that the Section 32 report does not provide any justification as to why coffee roasting has subsequently been afforded permitted activity status under proposed Rule R30 of the Proposed NRP, while tobacco manufacturing becomes a discretionary activity. If a distinction is to be made between the activity status of the activities covered by Section 5.1.8 (food, animal or plant manufacturing) it would be reasonable to expect to see the analysis that supports that distinction.
- In the absence of analysis in the Section 32 report on the effects of activities covered by rules proposed in Section 5.1.8, we have reviewed GWRC's complaints register which was provided by GWRC for a 12 month period (1 August 2014 – 31 July 2015), and ITNZ's own complaints register (1999 – present). The GWRC data shows that the number of odour complaints received about tobacco (5) was similar to coffee (4) and breweries (2). We note that none of the complaints about the air discharges from these three activities resulted in enforcement action. This data suggests that the effects of the air discharges from these activities are not dissimilar and not offensive or objectionable. This latter point is reinforced by the information in ITNZ's complaints register, which indicates that GWRC has not taken enforcement action as a result of complaints and has found that the odour was not offensive or objectionable. A summary of GWRC's

		<p>odour complaints register is attached as Appendix 1 to this submission.</p> <ul style="list-style-type: none"> <li>The rules proposed in Section 5.1.8 and the Section 32 report do not recognise the importance of industry best practice processes for managing environmental effects. For example, ITNZ operates under an ISO14001 accredited Environmental Management System. As a result of this system, ITNZ has well established internal management processes to identify and manage environmental impacts, record and respond to complaints, and meet its legal requirements and objectives and targets through a continuous improvement process.</li> </ul>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>ITNZ requests the following amendments to the Proposed NRP:</p> <p>i) Include a new rule in Section 5.1.8 that specifically provides for tobacco product manufacturing as a permitted activity. The rule should be consistent with the wording of the rules for alcoholic beverage production (Rule R29) and coffee roasting (Rule R30) as follows: "The discharge of contaminants into air from tobacco product manufacturing is a permitted activity, provided the discharge shall not cause offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property."</p> <p>ii) Amend proposed Rule R31(f) to exclude tobacco manufacturing as follows: "refinement of sugars, roasting or drying of berries, grains or plant matter (except roasting of green coffee beans in Rule R30 and tobacco product manufacturing in Rule R#), curing by smoking, flour or grain milling, baking , roasting, deep fat or oil frying exceeding 250kg/hour of product, or ..."</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document



### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**Wellington Water Limited**

Submitter Number:

**S135**



25 September 2015

Greater Wellington Regional Council  
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PO Box 11646  
Wellington 6142

*Delivered by email to [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)*

## **Submission on the Proposed Natural Resources Plan for the Wellington Region**

### **1. Introduction**

- 1.1. Wellington Water thanks Greater Wellington Regional Council for the opportunity to make a submission on the proposed Natural Resources Plan for the Wellington region (proposed plan).
- 1.2. Wellington Water is owned by the Hutt, Porirua, Upper Hutt and Wellington city councils and Greater Wellington Regional Council (GWRC). The councils fund Wellington Water to manage the three waters (water supply, wastewater and stormwater) from source to sea. In this context Wellington water is the network manager.
- 1.3. Wellington Water aims to improve the quality of service delivery for the three waters activities, providing cost savings to its customers and shareholders, and promoting water conservation and sustainability across the Wellington region. We share the desire to achieve many of the outcomes sought through the proposed plan.
- 1.4. Wellington Water made a submission on the Draft Natural Resources Plan. Amongst other matters, we focused that submission on two key issues, specifically:
  - a) Disposal of wastewater to land; and
  - b) The two stage stormwater resource consenting process
- 1.5. In respect of disposal of wastewater to land, Wellington Water's primary concern is the time and financial cost of the provisions in the proposed plan. The proposed plan is not clear on whether applicants are required to do a first

principles review of discharge to land. The proposed plan does not recognise or provide for prior investigations into land disposal.

- 1.6. The two stage resource consenting process for stormwater discharges raises concerns over the practicalities of complying with the stated timeline, the cost of complying and whether the desired environmental outcomes will indeed be achieved via a two stage process compared with a single consent process.
- 1.7. In further discussions, it looked like GWRC was willing to address those issues within the proposed plan. However, on these matters the proposed plan is substantively unchanged from the draft therefore Wellington Water is compelled to submit again on those issues alongside other matters. These are expanded on in the body of this submission.

## **2. Structure of the submission**

- 2.1. This submission provides an overview and is intended to accompany the attached submission spreadsheet which has the detailed comments on the proposed plan provisions. The submission groups provisions on a topic and provides a cohesive picture.
- 2.2. This submission is structured in the following way:
  1. Introduction
  2. Structure of the submission
  3. Resource Management Act 1991 Context
  4. Framework for regionally significant infrastructure
  5. Whaitua process, collaboration and the regulatory style of the proposed plan
  6. Cost implications, recognition of urban context and term of resource consents
  7. Wastewater discharges
  8. Stormwater discharges
  9. Works in beds of rivers
  10. Water allocation and water use efficiency
  11. Lack of recognition of differences in nature and scale of effects on the environment
  12. Closure

### 3. Resource Management Act 1991 Context

- 3.1. In the context of the Resource Management Act 1991 (RMA), all of the councils' activities enable "...communities to provide for their social, economic and cultural wellbeing and for their health and safety...".
- 3.2. The protection of people and property from flooding, provision of safe drinking water and the transport of wastewater are essential services and enable people and communities to provide for their social, economic and cultural well-being and for their health and safety. Without the three waters networks these outcomes cannot be achieved.
- 3.3. As noted in the body of this submission document and accompanying submission spreadsheet, aspects of the proposed plan do not promote the sustainable management of three waters infrastructure, partly because the benefits are not sufficiently recognised and provided for.
- 3.4. Section 7(b) RMA – efficient use and development of physical resources - is relevant to the councils' activities. Wellington Water is required to manage the three waters network in a cost effective way and be prudent in new capital investment and operating expenses.
- 3.5. 7(g) – finite characteristics of natural and physical resources – Wellington Water is required to respond to and manage rainfall in whatever intensity, duration and location it falls. We both extract water to supply drinking water to the Wellington metropolitan area and convey stormwater.
- 3.6. 7(i) – climate change. On behalf of the councils, Wellington Water plans for and responds to climate change. This could mean more water storage for potable supply, taking account of sea level rise effects on the Hutt Valley aquifer system, bigger stormwater pipes and discharges or revised management regimes.
- 3.7. The functions of the regional council stated in 30(1)(gb) RMA, that of strategic integration of infrastructure with land use through objectives, policies and methods are relevant to this submission.
- 3.8. Effective co-ordination and integration of land use and infrastructure is important for the functioning of communities. Economic, social and cultural benefits associated with communities will diminish without properly located and effective functioning of significant infrastructure.



#### 4. Framework for regionally significant infrastructure

- 4.1. The Regional Policy Statement requires the regional plan to recognise and protect regionally significant infrastructure. Wellington Water contends that the proposed plan does not do this effectively. The proposed plan is too narrowly focused on the potential adverse effects of infrastructure establishment, operation, maintenance and upgrading without sufficient recognition of the benefits of services provided through three waters infrastructure.
- 4.2. The proposed plan would better give effect to Part 2 RMA if regionally significant infrastructure were better recognised and protected and the benefits of three waters infrastructure were better recognised and provided for. For example, Policy P8: Beneficial activities does not include the beneficial activities of preventing flooding (relevant to Wellington Water's activities of clearing drains and watercourses), and the beneficial public health effects of removal and disposal of wastewater. In addition, rules or methods to give effect to the relevant policies and objectives appear to be absent or not clearly linked.
- 4.3. The definition of regionally significant infrastructure in the proposed plan includes local authority three waters networks, systems and treatment plants. It does not include the discharges inherent in the three waters systems, such as discharges to the coast from the wastewater treatment plants. Broadening the definition of regionally significant infrastructure to include discharges from the three waters networks, systems and treatment plants would provide greater certainty, recognition and protection.
- 4.4. Provisions in the proposed plan that provide for protection of regionally significant infrastructure are limited to reverse sensitivity effects only in the coastal marine area. While helpful, most regionally significant infrastructure is not in the coastal marine area. Protection of the potable water supply is widespread throughout the proposed plan, however this protection is not extended to stormwater networks and associated watercourses and wastewater systems which perform essential services in locations mainly outside the coastal marine area.

- 4.5. The maintenance needs of regionally significant infrastructure such as the three waters infrastructure requires greater recognition and provision in the proposed plan. The rules framework places onerous standards on some infrastructure maintenance activities that must be carried out, regardless of factors such as the climate change, weather or health and safety.
- 4.6. There is insufficient recognition of existing community investment in core infrastructure, as required to be provided by the Local Government Act 2002 (LGA) and the Health Act 1956.
- 4.7. Wellington Water submits that the section 32 report would be more robust were more evidence-based analysis undertaken.
- 4.8. The way the term 'upgrade' has been defined does not provide for extending or intensifying networks to accommodate population or economic growth. The definition in the proposed plan locks in the current "character, intensity and scale as the existing structure and activity." In local government asset management and provision of services, upgrades may be necessary to improve levels of service, replace outmoded infrastructure and/or accommodate growth. The definition of 'upgrade' in the proposed plan needs to be broadened to better recognise and protect three waters infrastructure and enable appropriate asset management responses and solutions.
- 4.9. **This submission requests that:**
  - a) The objectives, policies, rules and methods are re-drafted to more adequately recognise the benefits of three waters regionally significant infrastructure and protect its establishment, operation, maintenance and upgrade.
  - b) Clarity is provided on whether regionally significant infrastructure also includes the discharges inherent in the three waters systems. It would be beneficial if the discharge itself was considered part of the three waters regionally significant infrastructure.
  - c) Provision for and protection of the stormwater network and associated watercourses and wastewater networks is afforded throughout the plan in a similar manner that has been provided for the potable water supply.
  - d) The definition of "upgrade" is changed to accommodate extending or intensifying three waters infrastructure to provide for community and economic growth.

- e) A section 32A analysis (required with the decisions on this proposed plan) that gives effect to the requirements for a cost-benefit analysis with consideration of efficiency and effectiveness be provided.
- f) Further amendments as detailed in the attached submission spreadsheet are made.
- g) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan.

## **5. Whaitua process, collaboration and the regulatory style of the proposed plan**

- 5.1. Wellington Water is very supportive of and engaged in the whaitua collaborative process that will marry community environmental quality aspirations with what is affordable and achievable.
- 5.2. The proposed plan over emphasises regulation given it contains over 231 rules and only 28 methods. The proposed plan would better embrace the spirit of collaboration embedded in the whaitua process if methods were given more emphasis or developed further, and rules framed in a context of greater shared risk and investment within a collaborative setting. The relatively small number of methods is not a recipe for collaboration in line with the spirit of the whaitua process.
- 5.3. A high degree of regulation represents costs, risks, uncertainty and accountabilities shifted on to consent applicants, with relatively little cost implications for regional council. Collaborative methods mean the participants have a stake in the result and share the financial risks because all parties have invested in something they want to happen. When designing provisions it is useful to consider the scale of the financial burden of implementation and on whom the costs, risks, uncertainty and accountabilities fall. Wellington Water would like to see a shift in the balance in the proposed plan to a greater number of collaborative methods.
- 5.4. A way of sharing the risk is to examine how permitted activities are designed and reduce the number of stringent conditions imposed. Generally, the fewer conditions on permitted activities, the more certain they are. Some of the permitted activity provisions require subjective assessments and as such, do not have the necessary level of certainty to meet the standards set by case law for permitted activities.

**5.5. This submission requests that:**

- a) The proposed plan be re-balanced to reduce the amount of regulation and increase the use of 'Other Methods' to enable more collaboration and sharing of risks between GWRC and councils, applicants and the community.
- b) The permitted rules are reviewed to ensure they are clear and certain, do not invoke inappropriately subjective evaluations and comply with case law.
- c) Specific amendments as detailed in the attached spreadsheet are made.
- d) Such other amendments as may be appropriate to address the issues identified above or in the attached spreadsheet, or to achieve consistency between provisions of the proposed plan.

**6. Cost implications, recognition of urban context and term of resource consents**

**Cost implications**

- 6.1. Wellington Water supports moves to improve water quality in the region. Initiatives to improve freshwater health implemented as a result of the National Policy Statement for Freshwater Management 2014 (NPSFM) and the financial implications of complying with the proposed plan will ultimately be funded through rates following public consultation and inclusion in long-term plans (LTP). The ability of each council to pay is linked to other priorities for each council and will be considered accordingly by each city's councillors. In some instances, compliance with the plan may result in (i) funds being spent on compliance rather than on monitoring and improvement works, (ii) increases in operating expenses and (iii) greater borrowing by councils or an increased burden on ratepayers to fund the investment.
- 6.2. The proposed plan would be strengthened and have greater integrity if the section 32 reports more robustly accounted for costs and benefits.
- 6.3. The proposed plan contains a number of provisions that impose additional works or design requirements that are not currently required under the operative regional plans. For stormwater, these new provisions are likely to impose costs that will challenge the financial viability of some projects. This may have the effect of hindering scope for city growth and economic development.

- 6.4. For example, policy P79 requires development to maintain pre-development hydrographs and overland flow paths as far as practicable. This may be feasible in a local setting but may not allow for best practice catchment management.

**Lack of recognition of the urban environment**

- 6.5. The benefits of the use and development of urban areas is not explicitly recognised by the proposed plan. There is no policy distinction between the natural and urban environment. A range of concerns falls out of this including how resource consents for urban infrastructure will be treated in the proposed plan.
- 6.6. For example, there is no specific mention of Wellington's context of treated wastewater discharges to the coast in the metropolitan urban area and the known impracticality of discharging to land. Also, the definition of "highly modified river or stream" and rule 121 do not fit urban streams, many of which are part of the stormwater network.
- 6.7. Consequently there will be a bigger regulatory burden on councils and the private sector to continue to provide and operate three waters infrastructure as well as a bigger regulatory burden to develop greenfield areas. To demonstrate this point, subdivisions will have to be designed to avoid piping streams and creating lots on steep topography, and will need more investment in water sensitive urban design. This regulatory burden will manifest in lots and developments taking longer to reach the market and the extra costs being passed on to the ultimate consumer.
- 6.8. The framework for piping of streams in rule R127 and policy P102 is very restrictive and there is a lack of policy guidance when assessing resource consent applications. While certain areas are exempt from policy P102 there is no alternative policy framework for these areas. In addition the areas exempted are very limited and may not include other urban growth areas approved by the region's councils.
- 6.9. There is often non-complying activity status for three waters activities and structures in identified mana whenua sites when the site is already highly modified and in the urban environment. We believe that discretionary or even restricted activity status is more appropriate, as it would more properly recognise that three waters infrastructure is regionally significant, and

required under the RPS to be protected, yet enable adverse effects to be considered.

**Term of resource consents for regionally significant infrastructure**

- 6.10. We see increased length and certainty of term as leading to much better environmental outcomes for less regulatory effort and cost.
- 6.11. This is confirmed in case law. For example, in *Brooke-Taylor v Marlborough District Council W67/04*, the Court highlighted that granting short-term consents for structures with a lengthy design life, well beyond the duration of the resource consent, is not efficient in terms of section 5 of the RMA, when there was nothing to suggest the proposed structure required re-evaluation at the end of a short term resource consent.
- 6.12. The earlier Environment Court decision, *PVL Proteins Ltd v Auckland Regional Council A61/2001*, noted that review of conditions may be more effective than a shorter term to ensure conditions do not become outdated, irrelevant or inadequate.
- 6.13. Three waters infrastructure typically has intergenerational design lives. It therefore follows that it is far easier to obtain funding if the business case for infrastructure projects is supported by a longer-term consent, which will lead to better environmental outcomes.
- 6.14. The RMA and case law contain a range of methods that can be used to mitigate the inevitable uncertainties that arise from granting longer term consents. These include review conditions, requirements for applicants to report on emerging technology, and the use of best practice type conditions, all of which encourage continuous improvement. While considerable thought needs to be given to the wording of these types of conditions, the benefits of a longer term resource consent can be substantial and the length of resource consent term can be the difference in the timing of investment to achieve better environmental outcomes.
- 6.15. **This submission requests that:**
- a) The proposed plan distinguishes and recognises the benefits of the urban environment and infrastructure, and in particular reflects the urban context and its benefits in the determination of activity status.
  - b) The proposed plan contain provisions that recognise and provide for the long lives of regionally significant infrastructure and consider the use of

review conditions and other mechanisms, such as adaptive management and review provisions, to encourage continuous improvement.

- c) Such other amendments as are detailed in the attached submission spreadsheet be made.
- d) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan, be made.

## 7. Wastewater discharges

- 7.1. It is helpful that the proposed plan defines the 4 wastewater treatment plants in Wellington's metropolitan area as regionally significant infrastructure, which must be protected to give effect to the Regional Policy Statement. Considerable investment has been made in these treatment plants and they remain the only cost effective way of treating wastewater, as is discharge of treated wastewater to the coastal marine area (CMA). Many factors contribute to this activity continuing past the expiry of the current resource consents.
- 7.2. However, it is not certain from the series of objectives, policies and rules whether applicants need to do a first principles review of discharge to land when renewing current consents. Amendments to these objectives, policies and rules could make it clearer that ongoing discharge to sea is the only practicable solution for the region.
- 7.3. This can be done by recognising the considerable existing community investment in this infrastructure and the extensive prior work involving GWRC and the community that determined the level of treatment in the wastewater treatment plants and the decision that discharge to the coast was the best option.
- 7.4. The wastewater policy appears to better reflect and provide for the situation in the Wairarapa, which has flat land with soils of high capacities for infiltration near to population centres. The proposed plan would be much improved if it provided for separate policy approaches for the four metropolitan cities and for the Wairarapa, in order to recognise and allow for their very different circumstances.

- 7.5. At significant cost, discharge to land (land disposal) was examined during the resource consent application processes for three of the region's four wastewater treatment plants. Land disposal was found to be impractical. It is unclear what benefit would be gained from repeating this exercise. Objective O49 promotes discharges to land. There is no specific mention of discharges to the coast. In the Wellington context this does not give sufficient recognition or protection to regionally significant infrastructure.
- 7.6. A programme of improvements to the existing wastewater treatment plants and reticulation networks is already being progressively implemented by our councils. These works will reduce the frequency of bypass discharges and improve the quality of discharges in wet weather conditions. However, the provision of constructed bypass discharges are an important component of the wastewater network in increasingly frequent and intense high rainfall events, and to protect public health from inundated networks spilling into public and private property. The proposed plan provisions may make it difficult to obtain resource consents for this regionally significant infrastructure.
- 7.7. Reduction in compliance costs would allow our client councils to spend more of the allocated funding on enhancing the networks to improve environmental and public health outcomes.
- 7.8. **This submission requests that:**
- a) Provision is made for re-consenting of existing coastal discharges from the wastewater treatment plants in the four metropolitan cities area, without new investigations of land-disposal alternatives. Alternatively, explicit provision be made for previous land disposal studies to be acceptable for this purpose.
  - b) The proposed plan include an objective that acknowledges sunk community investment and commitment to the existing treated wastewater discharges to the coast from the cities of the Wellington metropolitan area.
  - c) The public health benefits of constructed bypass wastewater discharges in high rainfall events be recognised and provided for in the proposed plan.
  - d) Such other amendments as are detailed in the attached submission spreadsheet are made.



- e) Such other amendments as may be appropriate are made to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan.

## **8. Stormwater discharges**

- 8.1. Wellington Water remains concerned that a 2 stage resource consent process for stormwater discharges will introduce more work and cost than is necessary. We acknowledge the first stage is seen as an immediate way to put consents in place where none exist and that these consents will require all the parties to work together to improve monitoring and establish appropriate conditions. To that end, we have advanced monitoring works in both Te Awarua-o-Porirua and Wellington Harbour and Hutt Valley catchments.
- 8.2. We believe single consents for stormwater discharges over 35 years would achieve exactly the same objective that the proposed two stage consenting process in the proposed plan seeks to achieve. Single consents for 35 year terms would cost the region's ratepayer's less and provide more certainty for whole of life planning and investment in the related water assets.
- 8.3. However, given rule R50 in the proposed plan relating to the first stage has immediate legal effect, and applications must therefore be lodged within the same time-frame as decisions on the proposed plan will be made, this leaves Wellington Water and our client councils with no option other than to follow the prescribed two stage process for obtaining stormwater network resource consents.
- 8.4. Provision of a stormwater service by a territorial authority is a mandatory activity under the LGA. It is not physically possible to stop stormwater flowing. Therefore the proposed plan requires rules to give effect to stormwater infrastructure being regionally significant infrastructure, and in accordance with the RPS they must be afforded appropriate recognition and protection. In this context, the only appropriate activity status is "controlled activity", together with an expectation for the maximum term of consent. The first stage consent process should provide GWRC with enough certainty as to the environmental effects associated with stormwater discharges to warrant controlled status for the second stage consent. Review conditions could be included in the second long term consent to reflect whaitua-specific provisions.

- 8.5. Wellington Water acknowledges there is a strong public interest in stormwater discharges. Recognising and providing for regionally significant infrastructure, and improved environmental outcomes, can be achieved within the certainty that resource consents of the longest possible term provide.

**Schedule N: Stormwater Management Strategy**

- 8.6. Schedule N: Stormwater Management Strategy is an important component in the stormwater provisions in the proposed plan. An alternative Schedule N that is risk-management focused and consistent with the way the networks are managed and funded is being developed and will be provided.
- 8.7. The provisions should recognise Wellington Water as network manager does not have direct control over inputs into the public stormwater system. The provisions should recognise that stormwater is not the only input to receiving environments. The provisions cannot imply that improvements in the stormwater network alone will achieve receiving water quality limits.
- 8.8. Our client councils have specific community aspirations and LGA drivers to improve stormwater discharge quality. The initiatives are at different stages of development, nature and implementation. They range from an existing Stormwater Plan to a Stormwater Bylaw to investigating changes to the district plan to implement water sensitive urban design. These activities are happening without any compulsion from the proposed plan. Implied controls on land use in Schedule N that only local authorities can effect are not required.
- 8.9. **This submission requests that:**
- a) Second stage resource consents for discharges from stormwater networks under rule R51 are accorded controlled activity status, with an expectation of a term of 35 years with a review clause to implement the outcomes of specific whitua processes.
  - b) Schedule N 'Stormwater management strategy' focus on the effects of the discharge rather than on managing the asset, and restrict itself to matters within the network manager's control.
  - c) Schedule N: 'Stormwater management strategy' be amended to reflect a risk based management approach consistent with the way the networks are managed and funded.

- d) Such other amendments as are detailed in the attached submission spreadsheet are made.
- e) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan, are made.

## 9. Works in beds of rivers

- 9.1. Rivers and streams form part of the urban stormwater networks. Maintaining, operating and upgrading the three waters networks often requires work in the beds of streams and rivers, both to protect the integrity of structures, to ensure communities and property are not flooded and to ensure that community water intakes are effective. The proposed plan lacks adequate recognition of the benefits of, and protection for, this regionally significant infrastructure. As a consequence, the proposed plan does not enable this critical maintenance, operation and upgrading to occur with the certainty required. It is acknowledged that the proposed plan contains permitted activity rules which assist, but the long list of sometimes complex standards takes away the value of permitted activity status.
- 9.2. The benefits of removing debris and sediment to prevent flooding, to stop sediment accumulating in sensitive waterbodies and debris removal to maintain fish passage and water source intakes are not adequately recognised in the proposed plan.
- 9.3. The proposed plan does not contextualise the scale of potential adverse effects from stormwater, most of which are short-term and relatively minor. There is no distinction between the sediment contributions from the stormwater network, forestry activities, river flood protection works or subdivision earthworks. The provisions need to reflect the comparative scale of the adverse effects from these activities.
- 9.4. **This submission requests that:**
  - a) The majority of network-related maintenance activities in the beds of streams and rivers be permitted activities with conditions appropriate to the temporary nature of works and scale of environmental effects.
  - b) Such other amendments as are detailed in the attached submission spreadsheet are made.

- c) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan, are made.

## **10. Water allocation and water use efficiency**

- 10.1. Wellington Water is concerned that the resource consents for water abstraction (hence also allocation) which are relied upon to provide the water supply to the four metropolitan cities, may be undermined by the provisions for “unused water” in the suggested water allocation regime. These provisions seem to have been developed primarily in the context of water takes for irrigation, and do not reflect the reality of large urban supplies, where a risk management approach is taken in order to minimise the serious consequences of a plant or source failure.
- 10.2. In the attached submission spreadsheet changes to Schedule Q: ‘Reasonable and efficient use criteria’ to enable consideration of this risk management approach are suggested for inclusion in the proposed plan. The suggested changes include provisions to better protect the Hutt Valley aquifer system which is critical to the region’s water supply.
- 10.3. Objective O52 and Schedule Q have introduced the requirement to maximise water efficiency. This introduces uncertainties of interpretation. It could be very costly and difficult and would not be consistent with LGA requirements to provide a cost-effective potable water supply. We suggest “maximise” is removed in light of extensive systems to maintain and improve water efficiency.
- 10.4. Wellington Water’s routine and normal operations include activities promoting water conservation and efficient use of water, which help guard against unwarranted use. Protection of the source ecology is achieved through minimum residual flow conditions included in existing resource consents. Wellington Water is required to directly monitor and manage river flows (and aquifer levels) downstream of the abstraction points in order that minimum residual flows are maintained. During critical low periods it is these minimum flow requirements not the allocation limits that control the availability of water.

**10.5. This submission requests that:**

- a) A new sub-section in Schedule Q: Reasonable and efficient water use criteria be included to recognise and provide for the supplying of essential services, a risk management strategy that may incorporate the management of multiple sources and elements of redundancy in order that the service provided maintains a high degree of reliability and resilience", and that consequential modifications to policies P118 and P119 be made.
- b) Schedule Q is amended to remove reference to "maximising" water efficiency.
- c) Tables 8.2 and 8.3 water allocations of policy WH.P2 and rule WH.R1 be amended to reflect the water takes already granted by existing resource consents.
- d) Such other amendments as are detailed in the attached submission spreadsheet are made.
- e) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan, are made.

**11. Lack of recognition of differences in nature and scale of effects on the environment**

- 11.1. The proposed plan contains insufficient mention of environmental indicators which show different ecological effects and their significance.
- 11.2. For the most part, there is a lack of separation of effects on freshwater and the effects on the coastal marine environment. There is no mention of the assimilative capacity of freshwater water bodies or the coastal marine area. The effect of the same contaminant loading on a water body will vary depending on whether it is discharged to freshwater or the coastal marine area, flow rate, temperature, existing state, sediment load, ecosystem state, and other factors. It will vary according to the time of day, the season, and the weather.
- 11.3. The proposed plan does not distinguish or contrast the existing large continuous discharges to the coastal marine area of treated wastewater from

the cities' wastewater treatment plants from the occasional, temporary discharge from a constructed overflow from a wastewater pump station.

11.4. Regionally significant infrastructure has substantial benefit which should be weighed against the scale of their adverse effects. The section 32 report (last paragraph of section 3.4.2) says "The policies recognise that these types of activities have benefits but the scale of the benefits will still need to be justified and balanced against the adverse effects of the activity as per any other activity." The question of scale is very important here, as is it appears the onus of proof of benefit is on regionally significant infrastructure. This is not consistent with the requirement to give effect to the direction to "recognise and protect" regionally significant infrastructure in the Regional Policy Statement.

**11.5. This submission requests that:**

- a) Provisions be inserted in the proposed plan to address the different scale and nature of effects of differing activities and discharges into freshwater and in coastal water environments.
- b) The proposed plan recognises and provides for the benefits of regionally significant infrastructure when considering the scale of their adverse effects.
- c) Such other amendments as are detailed in the attached submission spreadsheet are made.
- d) Such other amendments as may be appropriate to address the issues identified above or in the attached submission spreadsheet, or to achieve consistency between provisions of the proposed plan, are made.

## **12. Closure**

- 12.1. This submission has been compiled by Wellington Water as manager of the three waters network owned by its client councils; Hutt, Porirua, Upper Hutt and Wellington city councils, and Greater Wellington Regional Council. The submission includes this document together with the attached submission spreadsheet.
- 12.2. Wellington Water wishes to be heard in support of this submission at hearings.
- 12.3. If others make a similar submission, Wellington Water will consider presenting a joint case with them at a hearing.

12.4. Wellington Water is not a trade competitor and would not gain an advantage in trade competition through this submission.

Signed for Wellington Water Limited

A handwritten signature in black ink, appearing to read 'Colin Crampton', written over a horizontal line.

Colin Crampton  
Chief Executive  
Wellington Water Limited  
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Wellington Mail Centre 5045  
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## Submission on the Proposed Natural Resources Plan for the Wellington Region

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INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)



**Your details:**

Full name: Colin Crampton  
Company name: Wellington Water Limited  
Address1: Private Bag 39804  
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Email address: [colin.crampton@wellingtonwater.co.nz](mailto:colin.crampton@wellingtonwater.co.nz)

**Trade competition**

Yes I/we could not gain an advantage in trade competition through this submission

No I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Attendance and wish to be heard at hearing(s)**

Yes I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]



I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes  If other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 25/09/2015

Interpretation	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
2.1.3 Rules	Amend	<p>The objectives and policies are also legally binding. For clarification, the presumption of section 14 &amp; 15 RMA should be stated and contrasted to the presumption of section 9 (which most people are familiar with) - that for section 14 &amp; 15 activities, the activity is not allowed unless a rule in a plan allows it. It is good planning practice to include NES provisions in a plan, so that any person can see in a single place what rules apply and can apply context to the obligations for resource users. Non-complying activities must pass a legal test which in effect gives more clarity to the term "generally inappropriate".</p> <p>The concept of rule bundling is novel and may go beyond what is in the RMA and case law. (The paragraph is also internally inconsistent.) This is not the same as the common and legally accepted practice of bundling of individual consents. This should be explicitly discussed. If this is correct, it may be impossible to change one component of an activity without seeking an entirely new suite of consents. The definitions of dam, weir and aquiclude should be included.</p>	<p>Include the legally binding nature of objectives and policies. Include a sentence about the presumption of sections 14 &amp; 15 RMA. Include provisions of any NES. In describing non-complying status, refer to the necessary legal tests, to clarify what "generally appropriate" means. Clarify the legal status of bundling of rules, particularly in relation to the ability to change one component of a complex multi-faceted activity, without having to seek a whole new suite of consents. Include definitions for dam, weir and aquiclude.</p>
Active bed (rivers and streams)	Amend	<p>Definition is confusing and different to that in the RMA. It is not clear what "at least frequent flows" means. Change the definition to be consistent with the RMA and the extensive relevant caselaw.</p>	<p>Change the definition to be consistent with the RMA.</p>
Aquatic ecosystem health	Amend	<p>This is not a definition because it merely states a variable which "the degree to which".</p>	<p>Re-define to not refer to a variable.</p>

Aquifer	Amend	Reference to being capable of being a practical source of water is not part of defining what an aquifer is. Include new definition of "Aquiclude" in reference to rules R146 and R147.	Re-define what an aquifer is, not what it can be used for. Create new definition of "Aquiclude" in reference to rules R146 and R147.
Biodiversity offset	Amend	Need to justify this approach in an objective and policy framework. Offsetting has been interpreted in case law as part of mitigation. This cannot go beyond the RMA requirements of "avoid, remedy or mitigate".	Reconsider the definition in the legal context of the RMA and case law.
Biosolids	Amend	The second half of the definition reads like a rule, not a description of what it is.	Delete second half of the sentence.
Bore	Amend	Accept the definition of Bore. But piles and other structures that penetrate into or through the aquiclude need to have specific provisions. "Aquiclude" needs to be a new definition as protecting the aquifer depends on not penetrating it.	Include controls on piles and other structures that penetrate into or through an aquiclude. Add a new definition of "Aquiclude is a geological formation or stratum that confines water in an adjacent aquifer" or to like effect.
Category A groundwater	Amend	It is not clear if groundwater entering a stormwater pipe is "taking water".	Confirm that groundwater entering a stormwater pipe is not "taking water".
Catchment based flood and erosion risk management activities	Amend	Clarify how this relates to stormwater networks and management.	Include the relationship of these activities to stormwater management to remove any uncertainty about what is included or excluded.
Coastal restoration plan	Amend	What is meant by "natural state" is not clear. For example, it could mean pre-human occupation, and not recognise the extensive development of most of the existing coastline in the Wellington region that has been modified by people.	Clarify what is meant by "natural state" and recognise that most of the urban Wellington region coastline has been extensively developed.
Cultural impact assessment*	Amend	The RMA does not include consideration of Treaty claims before they have been settled with the Crown by way of legislation.	Remove reference to Treaty claims.

		<p>The first part of the definition refers to drainage of sub-surface water. However, the second sentence refers to conveying water only during rainfall events. This is not consistent. In an urban context, drains do not convey water only during rainfall events. They could well convey ground water or from stored water upstream. Rain takes time to infiltrate and percolate through soils or do overland flow, long after rain has stopped. Recognise that stormwater networks include large numbers of sections of natural watercourses. It is not clear whether natural watercourses are drains, and there is no definition of natural watercourse.</p>	<p>Delete "only during rainfall events" and amend to indicate a drain may convey water at times other than rainfall. Define "natural watercourse" and recognise that they are part of a stormwater network in an urban context.</p>
<p>Drain</p>	<p>Amend</p>	<p>Existing discharge definition needs to acknowledge the presence of historic wet weather overflows and emergency relief points. A new discharge should be defined as a newly constructed point, not just as a point that does not currently hold consent as there are a large number of emergency overflow locations that do not currently hold consent under previous interpretations of the RMA and plans by both local authorities and GWRC.</p>	<p>Change to "...means a discharge from an existing wastewater network which may or may not be already authorised by an existing consent ...." or to like effect. Alternatively, add definition for existing wet weather overflows. Add "In the context of a wastewater network means a discharge already authorised by resource consent at the time of application for a new resource consent relating to the same activity and may include historic wet weather overflow locations that have not previously been specifically authorised by resource consent."</p>
<p>Existing discharge</p>	<p>Amend</p>	<p>Definitions of "economic efficiency", "technical efficiency" and "allocative efficiency" should also be provided as these are very technical terms not widely understood.</p>	<p>Define "economic efficiency", "technical efficiency" and "allocative efficiency"</p>
<p>Efficient allocation</p>	<p>Amend</p>	<p>(a) Suggest "does not have an active bed" to be consistent with other definitions. (c) Suggest "only conveys water during, and immediately following a significant rainfall (&gt; than x mm per hour)</p>	<p>(a) Amend "does not have an active bed" to be consistent with other definitions. (c) Amend to "only conveys water during, and immediately following a significant rainfall (&gt; than x mm per hour) or similar effect."</p>
<p>Ephemeral flow path</p>	<p>Amend</p>		

	Amend	<p>This definition contains many qualitative words and is not certain. This definition is relied on considerably throughout the plan. Relying on this concept is problematic because many industries / activities that have such things, have been developed for the efficiency/practicability/ economic sustainability of that industry - not primarily and exclusively for addressing environmental effects. For drainage engineering, best practice cannot be contained in a simple manual, and in any case is continuously improving. The concept should have limited specific application, not the assumption that it is practicable or realistic to apply broadly.</p>	Redefine to make the definition more certain and be clear about the limits of its applicability.
Good management practice			
Hard engineering *	Amend	<p>Hard engineering is commonly used to protect infrastructure. Inclusion of "infrastructure" after "land" in the second last sentence would also reflect the policy that provides recognition of regionally significant infrastructure.</p>	Add "or infrastructure" after "to prevent erosion of the land".
Health needs of people	Support		
High hazard areas (also known as areas at high risk from natural hazards)	Amend	<p>Reconsider the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard. This should only apply to rivers that are in fact at high risk of natural hazards.</p>	Reconsider the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard.

	<p>The current definition is aimed at rural and farming situations and not the urban environment. The definition needs to be applicable to urban stormwater networks that include large numbers of watercourses and open drains. These typically are not "straight channels with no natural curves", but it is clear from their urban, developed context and use that they are highly modified. Within the stormwater network, their function is the prevention of flooding. This is a little different to the function of a farm drain which is to lower the groundwater table. Intake structures are an important part of the stormwater system and should be included in the definition. The definition, in combination with relevant permitted rules, needs to allow for normal maintenance and clearance of debris to prevent flooding.</p>
<p>Highly modified river or stream</p>	<p>Amend</p>
<p>Low energy receiving environments*</p>	<p>Amend</p> <p>We question whether a single term can usefully be used for both freshwater environments and the coastal environment. Rivers flow continuously, and can be high or low energy environments depending on the weather. For the coastal environment, it cannot be a precise term because of the connection of all coastal water and the degree of energy changes according to location.</p>
<p>Minimum flow or water level</p>	<p>Amend</p> <p>This is a circular definition as it refers to itself.</p>
<p>New discharge</p>	<p>Amend</p> <p>A new discharge should be defined as a newly constructed point, not just as a point that does not currently hold consent as there are a large number of emergency overflow locations that do not currently hold consent under previous interpretations of the RMA and Plans by both Local Authorities and GWRC.</p>
<p>Pumped drainage scheme</p>	<p>Amend</p> <p>It is unclear if this refers to stormwater and wastewater. It is written as if it refers to farm land drainage.</p> <p>Amend</p> <p>Amend the definition to be applicable to urban stormwater networks that include large numbers of watercourses and open drains, including intake structures. The definition needs to work with relevant rules to allow clearance of debris to prevent flooding to be a permitted activity.</p> <p>Separate freshwater from coastal, and clarify when this term may be used.</p> <p>Redefine so the definition is not circular.</p> <p>Change to "In the context of ... wastewater network means a new or proposed new structure which may discharge into freshwater or marine coastal area under reasonably foreseeable conditions" or to like effect.</p> <p>Clarify if this refers to stormwater and wastewater.</p>

	Amend	<p>The definition is confined to reclamation in the CMA. However there are some policies (P102) and rules (R127) which deal with reclamation on lake or river beds. More clarity is needed about what constitutes reclamation in the lake or river bed contexts.</p> <p>Of all the different types of water supply assets, intake works are likely to have the most significant impact on water bodies, so should be included in the list of components of a local authority water supply network.</p>	Amend the definition of reclamation to clarify its meaning in relation to the bed of a lake or a river. Ensure policies (P102)and rules (R127) in terms of reclamation are consistent with other provisions for temporary damming and diversion of rivers or lakes.
Regionally significant infrastructure*	Amend	<p>Stormwater is not just run-off. It includes water that has infiltrated and percolated through soil to a drain and includes groundwater. The Regional Water Standards definition is "Rain water that does not percolate into the groundwater or evaporate, but flow via overland flow, interflow, channels or pipes into a defined channel, open watercourse or a constructed infiltration facility."</p>	Broaden the definition to include water that has infiltrated and percolated through soil to a drain and includes groundwater (or to like effect). Or use the Regional Water Standards definition of "Rain water that does not percolate into the groundwater or evaporate, but flow via overland flow, interflow, channels or pipes into a defined channel, open watercourse or a constructed infiltration facility."
Stormwater	Amend	<p>There are many sections of open watercourse that are part of the local authority stormwater networks. These need to be specifically included to remove any doubt that they are an integral and necessary part of the network. The definition includes kerb (and channel). These are roading devices used to separate carriageway from footpath, and are simply shaped to maximise their ability to convey water relative to their height. Mountable kerbs and other carriageway edges that have a low height have little ability to convey water. This could be problematic for city councils and mean that Wellington Water would need to work much more closely with roading authorities, or take responsibility for kerb assets.</p>	Include to the effect of " including open watercourses where they function and are managed as part of the local authority stormwater network. " Remove "kerbs" from the definition.
Stormwater network	Amend		

	Amend	<p>This has the detail of a plan, and should not be called a strategy. Remove references to land use planning as that is not in the control of the stormwater network manager. Intentions to work with local authorities on mechanisms to influence land use planning should be in a Other method and not in this strategy.</p>	<p>Change the name to Stormwater management plan. Remove references to land use planning.</p>
Stormwater management strategy			
	Amend	<p>The definition of unused water needs to clearly specify that community drinking water suppliers are excluded. The definition is written from the perspective of a water user on a specific parcel of land, such as a farmer. As it stands, it does not fit the context of taking water for a community drinking water supply. For the purposes of security of supply for human health needs, the period of low use should be indefinite in terms of the present definition. A definition relevant to a community drinking water supply could refer to a requirement to justify unused water through a risk management framework.</p>	<p>Change the definition to specifically exclude community drinking water suppliers. Alternatively, provide a separate definition for a community drinking water supply to the effect of requiring justification of unused water by way of a risk management framework.</p>
Unused water			
	Amend	<p>The definition should refer to community decided levels of service rather than current standards. In Local Government asset management approaches, upgrades may improve levels of service and may be required to accommodate growth. The definition needs to accommodate this approach.</p>	<p>Change "current standards" to "community decided levels of service" or to like effect. Change the definition so that infrastructure can accommodate growth.</p>
Upgrade			
	Amend	<p>Clearance can be by hand (not including hand spraying).</p>	<p>Include hand clearance in the definition.</p>
Vegetation clearance			
	Amend	<p>All wastewater has varying proportions of stormwater, so it is unrealistic to define wastewater as not containing stormwater.</p>	<p>Exclude "but excluding stormwater".</p>
Wastewater			



Wastewater network	Amend	<p>The definition does not include the infrastructure necessary to discharge wastewater. If it did, it would be consistent with the definition of stormwater network which includes the devices to discharge the stormwater.</p>	<p>Redefine the definition of wastewater network to the effect of " A community reticulated wastewater system, a network of devices designed to accept and transport wastewater from properties to a treatment plant and discharge wastewater, including but not limited to devices, pipes and pump stations. "</p> <p>Change the definition to be effects based. Provide a policy to define the zone with certainty. Define and use the term "assimilative capacity". Provide a reasonable mixing zone definition for discharges into the coastal marine area.</p>
Zone of reasonable mixing	Amend	<p>This definition is not effects based. It is unrealistic to define the zone of reasonable mixing irrespective of assimilative capacity, the nature and composition of the discharge, and largely irrespective of the location/receiving water body. The concept is not simple or obvious and should be dealt with by way of a policy and rule which can go into more detail about particular circumstances. It is important to refer to assimilative capacity - a concept which does not appear in this plan. Policy P72 does not provide certainty to define the zone before a discharge has started. A definition for coastal discharges should be added. The definition of reasonable mixing does not seem to apply to coastal water, but the term is referred to in the coastal chapter (general conditions 5.7.2). It is appropriate for rules relating to discharges to allow for reasonable mixing in coastal waters.</p>	

**Objectives**

**mission on this pro**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Objective O5: Fresh and coastal water	Amend	This objective should include a qualifier which allows for natural perturbations such as floods (consistent with RMA schedule 3). Qualifiers should also clarify whether contact recreation and Maori customary use is for all times (winter and summer), everywhere (for example, it might not include swimming in the commercial port area) and whether primary or secondary recreation contact is intended.	Amend the objective to include qualifiers as to when and where this objective applies and whether it applies when natural perturbations such as flooding, are supposed to be suitable for swimming.
Objective O6: Health needs of people	Support	We support this objective. The community need for access to water for firefighting should be included or added.	Add new Objective: Sufficient water is available to meet the communities' need to fight fires (or similar).
Objective O8: Allocation regime	Support		
Objective O12: Benefits of regionally significant infrastructure	Amend	This objective does not adequately give effect to Regional Policy Statement objective 10 and policies 7, 8 and 39 which not only require the benefits of regionally significant infrastructure to be recognised but also to be protected. This objective should allow for 3 waters infrastructure in the coastal marine area such as the proposed cross-harbour water supply pipeline.	Add to the end "...are recognised and protected."

Objective O13: Protecting regionally significant infrastructure	Amend	<p>This objective appears to only apply in the coastal marine area. The protection of regionally significant three waters infrastructure against reverse sensitivity should apply to all environments. The majority of regionally significant three waters infrastructure is not in the coastal marine area. The Regional Policy Statement directive to recognise and protect such infrastructure is not limited to the coastal marine area.</p>	<p>Amend the objective to protect significant three waters infrastructure against reverse sensitivity in all environments, not just the coastal marine area.</p>
Objective O20: Risk from natural hazards	Amend	<p>It is not clear what "acceptable" means, to whom and when. GNS Science has recently published guidance material on how to determine what is "acceptable" using a particular methodology. That methodology is rigorous but also onerous in terms of resources, so its use should be considered carefully. This objective does not suggest the GNS methodology should be used. If such a methodology is not used, a substitute term with more certainty should be used. The most serious natural hazard risk in Wellington is a large earthquake centred on the Wellington Fault, and the adverse effects of this event will be very significant and certainly not "acceptable" to the community.</p>	<p>Clarify what "acceptable" means in this context.</p>
Objective O22: Hard engineering	Amend	<p>Clarify that hard engineering may be required to protect regionally significant infrastructure when it is the most cost effective measure.</p>	<p>Clarify that hard engineering may be required to protect regionally significant infrastructure when it is the most cost effective measure.</p>
Objective O24: Contact recreation and Māori customary use	Amend	<p>Table 3.3 includes "Concentrations of contaminants, including pathogens, are sufficiently low for shellfish to be safe to collect and consume where appropriate</p>	<p>Clarify that shellfish gathering is not appropriate within vicinity of stormwater or wastewater outfalls due to risk of pathogens from urban area contaminants.</p>

Objective O29: Fish passage	Amend	<p>Restoration of fish passage is a very strong and absolute objective as it does not appear to have regard to existing development and regionally significant infrastructure. The objective should allow an exception for regionally significant infrastructure or if required by the functional need of infrastructure. Clarification of when restoration of fish passage is appropriate would increase clarity and certainty.</p>	<p>Qualify the objective by allowing an exception for regionally significant infrastructure or if required by the functional need of infrastructure. Clarification of when restoration of fish passage is appropriate.</p>
Objective O48: Stormwater networks	Amend	<p>This objective is unclear. State what the adverse effects are, for example, potential scour and erosion, if that is the case. The objective could mean the quantity of stormwater needs to be reduced over time. This will not be good for the wellbeing of communities because it directly equates to increasing the flood risk - the acceptable level of risk is set by councils in consultation with their communities. The reference to managing urban land uses is unclear as this is primarily done by territorial authorities in the district plan. This regional plan cannot direct territorial authorities to change the district plan. The mechanism to do that is through a change to the Regional Policy Statement. The objective does not recognise that the managers of the networks in the Wellington metropolitan area is not the territorial authority itself. This institutional arrangement cannot be ignored in the Wellington context.</p>	<p>Specify what these adverse effects are, particularly to those of stormwater quantity. Refer to those aspects that the stormwater network managers are able to control (which does not include land use).</p>

Objective O49: Wastewater discharges to land		<p>We recognise that this objective gives effect to the New Zealand Coastal Policy Statement. However, for the Wellington region, this objective is not effects based. It does not distinguish between the assimilative capacity of freshwater and coastal water. It does not distinguish the adverse effects of large scale disposal of wastewater to land which would be a direct consequence in the four metropolitan cities of this region. It does not recognise that in the metropolitan cities, land disposal options have already been examined and found to be impracticable. It does not recognise the existing environment and community investment and protect regionally significant infrastructure. Advocating for a different impractical disposal method in these circumstances is an inefficient use of physical resources and not consistent with Part 2 RMA.</p> <p>Redesign the objective to recognise the existing wastewater disposal infrastructure from existing facilities in the four metropolitan cities in the region. It needs to align with the objective of recognising and protecting (consistent with the RPS objective) regionally significant infrastructure and the existing community investment. It needs to refer to the assimilative capacity of the receiving environment, recognising that land disposal has its own limitations.</p>
Objective O50: Wastewater discharges to fresh water	Amend	<p>There is no objective to specifically recognise and protect the existing discharges of wastewater to the coast. Also note that discharge to fresh water provides for quicker mixing and can promote dilution and dispersion compared to coastal water discharges which have lower mixing efficiency due to the salinity differences.</p> <p>Apply to coastal water, add "where appropriate" to recognise the mixing available.</p>

Objective O52: Efficient allocation	
	Amend

The objective is not clear and certain enough. It needs to be practicable in the context of urban water supply, not just in a farming context. The objective should state when it will be achieved. Maximising efficiency of allocation and use implies increasing efficiency of use continuously at whatever cost, irrespective of the incremental gains and irrespective of the starting point of efficiency. Achieving "maximum" efficiency of allocation or use could be hugely expensive. It is unreasonable as there is no way of establishing that maximum efficiency has been reached. There will always be examples in the world where less water is used and proponents may argue that lower use can be achieved. It is not clear how 'generally-improving efficiency of water use' sits with the age and renewals profiles and policies of city pipe networks. "Maximising" reuse is absolute with no target or end-point and is not consistent with the Local Government Act (LGA) requirements for water suppliers to be cost-effective. It could be extremely expensive. (b) "good management practice" is unclear and not defined. (c) is poorly worded and ambiguous. Maximising reuse is absolute and unworkable, and could be taken to extremes, resulting in huge cost. LGA requirements for water supply dictate they be cost-effective.

Delete "and maximised" from the initial sentence. In (a) clarify what "efficient" means. Clarify the meaning of good management practice in the context of (b). Suggest (c) be reworded as "increasing to the extent that is reasonably practicable the reuse and recycling of water and recovery of contaminants" or something similar.



**Policies**

**Revision on this pr**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

<p>Policy P1: Ki uta ki tai and integrated catchment management</p>	<p>Amend</p>	<p>(e) needs to refer to the economic consequences of environmental quality standards. This is not the same as economic sustainability.</p>	<p>Refer to notions of affordability for communities, and the willingness to balance environmental quality standards with the cost of paying for improvements to achieve them.</p>
<p>Policy P3: Precautionary approach</p>	<p>Amend</p>	<p>This policy is inconsistent with, and does not give effect to the New Zealand Coastal Policy Statement policy 3. It should refer to significant adverse effects (not just adverse). It should refer to the effects that are little known, not the knowledge base of the receiving environment (as that will never be fully known). It should state how such activities will be treated in a policy sense, otherwise this is not a policy but merely a definition.</p>	<p>Make this policy consistent with the New Zealand Coastal Policy Statement policy 3. Make it refer to significant adverse effects (not just adverse), and refer to the effects that are little known, not the knowledge base of the receiving environment. State how such activities will be treated in a policy sense, so that this goes beyond a definition to being able to give effect to an objective.</p>
<p>Policy P4: Minimising adverse effects</p>	<p>Amend</p>	<p>This policy appears to be aimed at new development and does not appear to be very relevant to existing activities and infrastructure. It does not recognise the "sunk investment" of such infrastructure nor the effective lack of choice of location for existing facilities. "Good management practice" is uncertain and does not add anything. All infrastructure works for the three waters has to be managed in a cost-effective manner under the Local Government Act. Minimising effects to the smallest possible could be prohibitively expensive. It requires reducing the adverse effects of the activity to the smallest amount practicable, and includes five specific requirements which must all be met, including consideration of alternatives and for activities to be located "away from" areas identified in some schedules. It's unclear what would constitute "away from", causing ambiguity for applicants.</p> <p>This policy is potentially onerous. The policy requires rewording, especially as it has flow-on implications for many other policies.</p>	<p>Amend to recognise the lack of choice of location for existing infrastructure and the sunk investment. Refer to efficiency and cost-effectiveness of infrastructure rather than "good management practice". Amend to the effect of "Where minimisation of adverse effects is required by policies in this plan.....to the smallest amount reasonably (or cost effectively) practicable and shall include giving consideration to: ....."</p> <p>Provide more specific wording for clause (b) 'locating the activity away from'.</p>
<p>Policy P5: Review of existing consents</p>	<p>Amend</p>	<p>The policy needs to take into account all of the parts of section 128(1) RMA to be valid, which includes the purpose of the review.</p>	<p>Include all relevant obligations under section 128(1) RMA, including the purpose of the review.</p>



Policy P6: Synchronised expiry and review dates	Amend	<p>It is not clear whether the Whatitua catchments include just the freshwater catchment or include the coastal marine area. The policy does not make clear what happens to the expiry date of existing consents that do not match with the other consents in the catchment. There is no legal ability to shorten the term of an existing consent: it is not clear if (b) refers to new consents only. "May impede" is too uncertain to know what circumstances this applies to.</p>	<p>Clarify whether the Whatitua catchments include the coastal marine area. Clarify what happens to the expiry date of existing consents that do not match with the other consents in the catchment. Clarify the circumstances where "may impede" is relevant.</p>
Policy P7: Uses of land and water	Amend	<p>The concept of removing water to protect communities from flooding is not included and should be. Together with P13 it puts stormwater services in a position that is not provided for or protected (as a regionally significant infrastructure that is protected by RPS objectives).</p>	<p>Include reference to the social and economic benefits of providing stormwater systems to protect against flooding.</p>
Policy P8: Beneficial activities	Amend	<p>Item (j) seems to be out of context in a natural resources plan. While most of the listed items appear to benefit the ecology or natural values, three, (h), (j) and (k) refer to more pragmatic activities with much wider benefits to the community as a whole. The following items are missing from the list: Domestic or community water supply; protection of the community and property from flooding by stormwater networks; and protection of public health by maintaining and operating a wastewater network and disposal system. Including the 3 waters networks would give effect to the RPS directive to recognise and protect regionally significant infrastructure. It is difficult to see how (c) day-lighting of piped streams should be generally appropriate, as doing so in most urban environments would in many cases have major impacts on private property and other regionally significant infrastructure. Whilst the concept may be beneficial, the activity should be considered on a case by case basis, not "generally appropriate". (h) should include "operation of" existing structures. (j) should include "or infrastructure" between "monitoring resource use" and "or the state of the environment" to give effect to the protection of regionally significant infrastructure in the Regional Policy Statement.</p>	<p>Add public water supply, protection of the community and property from flooding by stormwater networks and protection of public health by maintaining and operating a wastewater network and disposal system to the list of beneficial activities. Remove "generally appropriate" from (c). Include "operation of" existing structures in (h). Include "or infrastructure" between "monitoring resource use" and "or the state of the environment" in (j).</p>
Policy P10: Contact recreation and Māori customary use	Support	<p>(a) and (b) appear to repeat each other. It is not clear how they differ.</p>	<p>Remove (a) or (b) or clarify the relationship to each other.</p>

<p>Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p>		<p>This policy needs to also protect the benefits of regionally significant infrastructure to give effect to the Regional Policy Statement. The policy reads like it is a test for what regionally significant infrastructure is, rather than a list of what the benefits are. The benefits of the three waters infrastructure have not been included. They are benefits of providing a potable water supply for the health needs of people, protecting people and property from flooding and protecting public health by providing a wastewater service. The policy implication is that maintaining and improving the 3 waters services should be promoted, especially when effects of maintenance activities are well known and have been carried out for many years. The beneficial environmental effects of removal of debris and sediment from river and harbour systems, the benefit to fish passage from removal of such obstructions, and maintaining or improving flood protection for communities.</p>	<p>Replace "by having regard to" with "and protected" to the end of the sentence (or to like effect). Add new benefits of the provision of the health needs of people and with a potable water supply, the protection of public property from flooding and the protection of public health by the provision of a wastewater service.</p>
<p>Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities</p>	<p>Amend</p>	<p>The policy needs to go beyond "are generally appropriate" to "are protected" to give effect to the Regional Policy Statement. The intention is that maintenance of this infrastructure should not be frustrated and reserve sensitivity effects need to be dealt with. P13 does not address capital improvements of stormwater systems which will increasingly be necessary to protect communities from climate change effects due to the proposed plan's definition of "upgrade". Overall, the use, maintenance and protection of regionally significant infrastructure is given far less prominence than environmental protection policies. An example of protecting existing regionally significant infrastructure would be to allow for the damming and diversion of water by a structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity under rules R114 and R116. This would continue the application of the existing Regional Plan for Freshwater Rule 8.</p>	<p>Replace "are generally appropriate" with "are protected" or similar. Allow the damming and diversion of water by an existing regionally significant infrastructure structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity, with consequential amendments to rules R114 and R116.</p>
<p>Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity</p>	<p>Support</p>	<p>Support this policy.</p>	

<p>Policy P15: Flood protection activities</p>	<p>Flood protection is one of the mandatory core services of local authorities under the Local Government Act and this should be recognised and protected. This policy is not clear whether river flood protection infrastructure as well as stormwater activities are included. The circumstances which are "generally appropriate" should be clarified. There is no guidance as to when and where these activities might not achieve the objective (unstated link to an objective). It would be better to go beyond "generally appropriate" to "protect" as these activities are generally part of regionally significant infrastructure.</p> <p>Replace "are generally appropriate" with "are protected" or similar. Clarify that stormwater management and river flood protection infrastructure are included, for the avoidance of doubt.</p>
<p>Policy P16: New flood protection and erosion control</p>	<p>Flood protection infrastructure and services are a mandatory service to be provided by local authorities under the Local Government Act. As such, they should be "provided for". Recognition on its own has little practical effect and little guidance when deciding on resource consents.</p> <p>Add "and provided for" or similar.</p>
<p>Policy P27: High hazard areas</p>	<p>This policy should also refer to protection of regionally significant infrastructure to give effect to the Regional Policy Statement. Most readers will not understand the terms "fluvial and lacustrine processes" in (e). Suggest using plain English. Regionally significant infrastructure (water supply pipelines) can not always avoid high hazard areas (e.g. Wellington fault zone) without being enormously expensive. Exception (b) accepts development if the residual risk is low. A pipeline constructed across the fault will have a residual risk higher than "low". This policy requires use and development in high hazard areas to be avoided which is a very high threshold, and does not recognise the benefits of the development or infrastructure. The definition of high hazard areas is "all areas in the coastal marine area and beds of lakes and rivers and their margins". There is a list of exemptions to this policy, but they all have to be met, potentially restricting activities necessary for the maintenance and upgrade of regionally significant infrastructure.</p> <p>Include protection of regionally significant infrastructure in high hazard areas in the list. Use plain English terms for "fluvial and lacustrine processes" in (e). Delete exception (b). Reconsider the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard. Clarify in what circumstances a risk assessment is required with a consent application, and what that should comprise, ensuring the assessment is only required in appropriate situations and is commensurate to the scale of the activity.</p>

<p>Policy P28: Hazard mitigation measures</p>	<p>To avoid hard engineering mitigation and protection methods is a very high threshold test. While it sets out exceptions, it does not adequately recognise the benefits of hard engineering in a range of circumstances. Include "and regionally significant infrastructure" after "to protect existing development" to give effect to the Regional Policy Statement. However, we question whether an additional requirement to produce a hazard management strategy is needed for regional council purposes. Infrastructure owners and managers already take these matters into account in normal processes. Infrastructure design, justification and funding decisions and do not need to duplicate their processes. This is required to recognise that hard engineering mitigation may be used for proposed regionally significant infrastructure, not just existing development. Some of the exemptions may be difficult to demonstrate compliance or are unreasonable. For example, the structure must be protecting development from unacceptable risk, and an assessment using a 'risk based approach' is required but the definition does not make clear what is expected.</p> <p>Amend</p> <p>Include "and regionally significant infrastructure" after "to protect existing development". Do not require a hazard management strategy for regionally significant infrastructure. The wording should be widened to exempt hard engineering measures that contribute to protection of the environment or public assets, and mitigation of adverse effects. Clarify in what circumstances a risk assessment is required with a consent application, and what that should comprise, ensuring the assessment is only required in appropriate situations and is commensurate to the scale of the activity.</p>
<p>Policy P29: Climate change</p>	<p>Support this policy. (d) would benefit by stating who's best available estimate for the Wellington region.</p> <p>Support</p> <p>Replace "best" in (d) with who's estimate it will be or where it might be documented for consistency and avoiding doubt.</p>
<p>Policy P31: Aquatic ecosystem health and mahinga kai</p>	<p>In relation to use of the word "restore" or "restored" in relation to ecosystem improvements, "Improved" or "enhanced" would be more appropriate. The policy implies "managing the effects of use and development" is the only influence on aquatic ecosystem health and mahinga kai. This does not give full effect to objective O18. Other significant effects are natural processes, and the effects of fishing, which are outside of control of the RMA but are a major impact on the health of the ecosystem. Removing this reference does not detract from the list of points underneath. (e) should not be confined to indigenous species only. Section 7(h) RMA matters relating to trout and salmon also need to be provided for.</p> <p>Amend</p> <p>Suggest substitute "enhanced" for "restored" in the first line. Remove "managing the effects of use and development on physical, chemical and biological processes to ". Remove "indigenous" from ( e ).</p>

<p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai</p>	<p>There is no definition of "significant adverse effects" (d) is beyond the scope of the RMA. In case law, offsetting has been used as part of the mitigation process. It is not an additional step after "avoid, remedy or mitigate" in section 5 RMA. Schedule G does not refer to "any residual effects" but to effects that may be "more than minor" and it includes limitations to its applicability and only to measurable effects. The principle of "no net loss" is very significant, and if this is to be adopted by GWRC, it requires an objective and policy framework to support it. The concept of biodiversity offsets has been introduced by this proposed Plan. This is a major change needs careful consideration for cost/benefit as it could lead to a regime of unnecessary cost for regionally significant infrastructure projects and give rise to serious affordability issues for local authorities in the provision of regionally significant infrastructure. There should be an exclusion for the operation, maintenance and upgrade of existing regionally significant infrastructure.</p> <p>Amend</p>
<p>Policy P33: Protecting indigenous fish habitat</p>	<p>By requiring "avoidance" of water takes that lead to a "significant loss of flow" it effectively precludes the taking of any significant quantity of water from most of the water bodies in the region. The policies for indigenous fish habitat uses very strong wording ('avoid') that could unduly restrict appropriate and important activities such as in-stream erosion protection structures to maintain three waters asset. Overlaying the migration times for the species noted as being present in the Hutt River shows that for any month of the year there are at least four migrating species, i.e. migration occurs all year round. (c) requires a time element to it. Does it mean permanent significant loss of flow? Clarification is required to allow necessary works to protect regionally significant infrastructure which may temporarily impede fish passage for the period of works which might be 2 hours or maybe 3 days but not usually longer. (c) precludes the temporary damming and diversion of river flow at all times. This may prevent the installation of pipes crossing beneath a stream. There is lack of alignment in the wording of this policy, where it says adverse effects must be avoided, and then activities rather than effects are listed.</p> <p>Amend</p> <p>In the first paragraph, replace "avoided" with "reduced to a practical minimum" or like effect. Include a practical time element into (c). Either delete "particularly" in the first sentence of the policy or include "relevant migration times" in (c). Revise the language in a way that protects indigenous fish habitat from significant adverse effects (rather than any adverse effect) and to recognise that effects cannot always be avoided completely and nor is it always necessary or appropriate to do so.</p>

Policy P34: Fish passage	Amend	<p>This policy effectively precludes construction of in stream dams or weirs, and directly conflicts with Policy P11 which espouses the benefits of in-stream damming and storage of water. The policy is not qualified by referring to water bodies where fish have access to, or to the potential extent or significance of the available habitat. For example, fish passage was not installed at the Wainuomata Lower Dam as NIWA recommended that it was not installed to maintain a barrier to trout accessing the native fish habitat above the dam.</p>	<p>State conditions when fish passage may be interrupted for the purposes of constructing, maintaining, operating or protecting regionally significant infrastructure. Recognise that some waterbodies may not represent significant new fish habitat.</p>
Policy P35: Restoring fish passage	Amend	<p>The word "restored" implies reinstatement to a pristine condition, which is probably not what is intended. "Where appropriate" needs to have greater certainty as to the criteria. It is not clear why this policy is restricted to indigenous fish species only, and why it does not give effect to section 7(h) RMA.</p>	<p>Add "to the extent practicable". Clarify "where appropriate". Clarify why (or if) this applies to non-indigenous species.</p>
Policy P39: Adverse effects on outstanding water bodies	Amend	<p>A recent Environment Court decision seems to imply that "avoidance" is an absolute, and should be adopted irrespective of cost or other implications. While the current extent of Outstanding Water Bodies does not appear to pose a threat to water supply infrastructure, any move downstream of the downstream boundary could have a very significant effect on these assets, which are regionally significant assets which the RPS requires to be recognised and protected.</p>	<p>Replace "shall be avoided" with "shall not be more than minor" or to like effect, or such other changes as will ensure that this policy does not override the recognition and protection of regionally significant three waters infrastructure, as required by the RPS.</p>
Policy P40: Ecosystems and habitats with significant indigenous biodiversity values	Amend	<p>This policy and policy P41 rely on the correct identification of values in schedule F.1. That schedule does not identify which parts of urban streams are piped, which leads to the assumption that all stated values are true for the entire length of water body. This is not likely to be correct for some values, for example, indigenous bird habitat. Recognise that within an urban environment it will not be possible to restore all freshwater ecosystems that have been piped. The policy framework needs to recognise the difference between piped and natural streams within Schedule F.1. Piped stream provisions should allow for the ongoing maintenance, operation and upgrade of regionally significant infrastructure.</p>	<p>Provide for the identification of piped sections of urban streams and provide for the ongoing maintenance, operation and upgrade of what is regionally significant infrastructure. The policy framework needs to recognise the difference between piped and natural streams within Schedule F.1.</p>

<p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Comments on policy P32 are relevant here: "There is no definition of "significant adverse effects". (d) is beyond the scope of the RMA. In caselaw, offsetting has been used as part of the mitigation process. It is not an additional step after "avoid, remedy or mitigate" in section 5 RMA. Schedule G does not refer to "any residual effects" but to effects that may be "more than minor" and it includes limitations to its applicability and only to measurable effects. The principle of "no net loss" is very significant, and if this is to be adopted by GWRC, it requires an objective and policy framework to support it". The policy serves two purposes - avoiding particular sites, and (in the last paragraph) saying certain activities are inappropriate (implying non-compliance status for resource consents). This is unclear and should be two clear separate policies indicating the differing applicability. This policy and policy P40 rely on the correct identification of values in schedule F1. That schedule does not identify which parts of urban streams are piped, which leads to the assumption that all stated values are true for the entire length of water body. This is not likely to be correct for some values, for example, indigenous bird habitat. Recognise that within an urban environment it will not be possible to restore all freshwater ecosystems that have been piped. The policy framework needs to recognise the difference between piped and natural streams within Schedule F1. Piped stream provisions should allow for the ongoing maintenance, operation and upgrade of regionally significant infrastructure.</p> <p>Provide for the identification of piped sections of urban streams and provide for the ongoing maintenance, operation and upgrade of what is regionally significant infrastructure. The policy framework needs to recognise the difference between piped and natural streams within Schedule F1.</p>
<p>Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Amend</p> <p>Refer to comments on biodiversity offsets for policy P32. There is no definition of "significant adverse effects". (b) is beyond the scope of the RMA. In case law, offsetting has been used as part of the mitigation process. It is not an additional step after "avoid, remedy or mitigate" in section 5 RMA. Take into account the effects of these mechanisms on the ongoing operation, maintenance and upgrade of existing three waters regionally significant infrastructure.</p> <p>Provide definition or guidance on what comprises "significant adverse effects". Suggest rephrasing (d) to something like "offsetting of any significant residual adverse effects may be considered as part of mitigation in accordance with schedule G for the coastal marine area". Identify the objective and policy framework for applying "no net loss" via schedule G. Remove biodiversity offsets for regionally significant infrastructure. Provide an exclusion (or to like effect) for the operation, maintenance and upgrade of existing three waters regionally significant infrastructure.</p>
<p>Policy P44: Protection and restoration of sites with significant mana whenua values</p>	<p>Amend</p> <p>Sites with significant mana whenua values are very wide ranging. Including for instance, the whole of the Hutt River. The concept of "restoring" the Hutt River is not feasible.</p> <p>Replace "restored" with "enhanced" or "improved"</p>

<p>Policy P45: Managing adverse effects on sites with significant mana whenua values</p>	<p>Amend</p> <p>Phrase the policy in the active voice. This policy sets up a potential tension between sites with significant mana whenua values, and the recognition and protection of regionally significant three waters infrastructure. "Avoidance" is arguably a very strong constraint, and may preclude any activity in areas with significant mana whenua values. It would seem that even if it can be shown that the effects of the Kaitoke water intake (for example) are no more than minor, its continued operation will be at the discretion of the iwi authority - not the regulatory authority.</p> <p>Phrase the policy in the active voice. Re-examine the effect of this policy on existing activities, especially those of three waters regionally significant infrastructure, where ongoing maintenance, operation and upgrade is provided for and anticipated for the community's wellbeing and health and safety.</p>
<p>Policy P46: Managing adverse effects on sites with significant historic heritage value</p>	<p>Amend</p> <p>(d) and (h) can be interpreted to mean there is a positive obligation on someone (unclear who) to fix damage to historic heritage values. If this is correct, it is not clear what the legal basis for this obligation is. The clarity of meaning could be assisted by phrasing the policy in the active sense.</p> <p>Phrase the policy in the active sense so that it is clear whether an active obligation on someone (owner?) to fix previous damage or deterioration of historic heritage is intended. If so, state where this obligation comes from.</p>
<p>Policy P52: Managing ambient air quality</p>	<p>Amend</p> <p>It is not clear whether discharges to air from wastewater and potable water treatment plants fit into this policy. Provide an explicit exclusion for three waters regionally significant infrastructure air discharges.</p> <p>Clarify whether discharges to air from wastewater and potable water treatment plants fit into this policy, and provide an exclusion for them if they are caught by this policy.</p>
<p>Policy P58: Industrial discharges</p>	<p>Amend</p> <p>Does this policy apply to discharges to air from wastewater and potable water treatment plants? See comment on policy P52: "It is not clear whether discharges to air from wastewater and potable water treatment plants fit into this policy. Provide an explicit exclusion for three waters regionally significant infrastructure air discharges." Good management practice is a subjective term that does not have sufficient clarity and certainty.</p> <p>Clarify whether discharges to air from wastewater and potable water treatment plants fit into this policy, and provide an exclusion for them if they are caught by this policy, or, provide a policy specifically for such discharges. Remove reference to good management practice, unless a particular practice guide is referenced.</p>
<p>Policy P59: Industrial point source discharges</p>	<p>Amend</p> <p>See comments for policy P52: "It is not clear whether discharges to air from wastewater and potable water treatment plants fit into this policy. Provide an explicit exclusion for three waters regionally significant infrastructure air discharges." Good management practice is a subjective term that does not have sufficient clarity and certainty.</p> <p>Clarify whether discharges to air from wastewater and potable water treatment plants fit into this policy. Provide a policy specifically for such discharges. Remove reference to good management practice, unless a particular practice guide is referenced.</p>



<p>Policy P62: Promoting discharges to land</p>	<p>Amend</p> <p>Clarify whether this includes treated wastewater effluent or wastewater sludge. The policy should address the assimilative capacity of land and soils and reverse sensitivity effects for any land disposal site, odour effects and the inability for future use of such land for agricultural production for market sensitivity reasons. Rules that give effect to this policy should state a quality of discharge that is actually practical for the type of discharge. The current rule effectively precludes wastewater discharge to land in the Wellington metropolitan area.</p> <p>Suggest that qualifiers are added that include consideration of the assimilative capacity of the soil, potential erosion and odour effects, reverse sensitivity effects, inability to use such land for agricultural production for market sensitivity reasons, and provide for rules to allow for practical discharges of effluent.</p>
<p>Policy P63: Improving water quality for contact recreation and Māori customary use</p>	<p>Amend</p> <p>Provision of a stormwater service by a territorial authority is a mandatory activity under the LGA. It is not physically possible to stop stormwater flowing. The policy needs to give effect to recognising and providing for stormwater infrastructure as regionally significant infrastructure. Declining a consent is not a realistic option. In this context, the policy context needs to enable the ongoing provision of the stormwater service, recognising the large and localised public benefits of protection of people and property from flooding, with minimum requirements to address stormwater quality, together with an expectation for the maximum term of consent. The concern over poor stormwater quality must be stated in the context of the scale of other inputs of contaminants to the receiving water body, the temporary nature of each rain event, and the high dilution in the receiving water body (by definition) in each rain event. Clarify whether "community use" should be included as well as "Maori customary use". (b) could suggest that stormwater has the most significant impact on water quality in schedule H1 water bodies. This needs to be justified in the context of inputs of sediment from forestry, flood protection works in river beds, subdivision earthworks activities and natural water quality variations from storm events.</p> <p>Recognise and provide for stormwater discharges as regionally significant infrastructure, recognising the widespread long-term benefits to people and property, recognising that the discharges cannot be stopped, that the network is long-term providing and the policy should provide an expectation for the longest term consents and its effects are capable of being well characterised. In (a), clarify whether the intent should be "identified by using Method M27". Clarify whether the prominence given to stormwater inputs in (b) is justified. Schedule N stormwater management strategies should be amended to a risk based approach based on existing asset management practices and confine itself to matters the network operator has control over.</p>
<p>Policy P64: Mixing waters</p>	<p>Amend</p> <p>This policy may require Wellington Water to determine whether water discharged from water distribution pipelines has an affect on mana whenua, depending on how catchments are defined. We suggest the GWRC whatiaua catchments are appropriate in scale and they are already defined by the Plan.</p> <p>Replace "catchments" with "whatiaua" or similar.</p>

<p>Policy P67: Minimising effects of discharges</p>	<p>Amend</p> <p>Because of the general nature and unqualified applicability of this policy, (a) has the potential to stifle economic development as many industries and economic activities unavoidably produce contaminants. It may be preferable to refer to increasing efficiencies or seeking out latest technologies to reduce contaminant production. Some contaminants are the product of people living in the region. For example, it is not clear how to "avoid" the amount of wastewater contaminants produced. In (d), instead of using "where appropriate" (which does not provide any guidance as to when this might be possible), reference is made to being able to do so within the constraints of the assimilative capacity of the soil, erosion effects and reverse sensitivity effects.</p> <p>Consider the applicability of this policy and the necessary constraints to it. Change (a) to the effect of increasing efficiencies or seeking out latest technologies to reduce contaminant production. In (d), instead of using "where appropriate", refer to doing so within the constraints of the assimilative capacity of the soil, erosion effects and reverse sensitivity effects (or to like effect).</p>
<p>Policy P68: Inappropriate discharges to water</p>	<p>Amend</p> <p>(a) needs to change "extreme weather related overflows" to "heavy" as extreme is inconsistent with policy P76 and does not reflect the reality of existing infrastructure. Wastewater overflows during heavy rain are greatly diluted and have relatively minor environmental and public health effects.</p> <p>Amendment and clarification. (a) Change "extreme weather related overflows" to "heavy rainfall events" consistent with policy P76. Specify if (c) includes discharges from wastewater or potable water treatment plants.</p>
<p>Policy P69: Human drinking water supplies</p>	<p>Amend</p> <p>The word "design" in (e) is superfluous and operating the discharge process is not mentioned.</p> <p>Amend (e) to read "treatment, operation and maintenance" or to similar effect.</p>
<p>Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai</p>	<p>Amend</p> <p>(a) (i) Clarify whether this applies to a new consent for an existing (consented) activity, when new consents are required upon expiry of existing consents. "Good management practice" is too uncertain a term. Offsetting cannot be an additional step to the avoid, remedy or mitigate (section 5 RMA), it must be part of mitigation. Last para refers to the policy "may" also be subject to... This is too uncertain. Specify when this policy will be subject to others.</p> <p>Change (a)(i) to clarify this applies to new consents for existing consented activity when the existing consents expire. Remove reference to "good management practice" or specify the intent or limits or recognised procedures. Clarify that offsetting is part of mitigation and not an additional step to "avoid, remedy or mitigate" in section 5 RMA. Clarify when offset residual effects will be considered.</p>
<p>Policy P71: Quality of discharges</p>	<p>Amend</p> <p>This policy should be consistent with schedule 3 RMA, that is, "apply after reasonable mixing of any contaminant or water with the receiving water and disregarding the effect of any natural perturbations that may affect the water body".</p> <p>Constrain the circumstances to be consistent with schedule 3 RMA, that is, "apply after reasonable mixing of any contaminant or water with the receiving water and disregarding the effect of any natural perturbations that may affect the water body".</p>

Policy P72: Zone of reasonable mixing	Oppose
Policy P73: Minimising adverse effects of stormwater discharges	amend

This policy is not consistent with the definition of the zone of reasonable mixing in Chapter 2 Interpretation, which refers to distances etc. (d) "a site" is not a zone. Clarify the interpretation. (f) may not be consistent with the RMA which specifies characteristics outside of the mixing zone, not within it.

Delete Policy P72.

It is not clear how the term "good management practice" relates to current engineering practice or asset management systems. Suggest the policy does not go into how water quality in-pipe is to be achieved. Some of these requirements appear to require bylaws or district plan changes. This becomes more explicit in schedule N. A regional plan cannot do that. That is the function of the Regional Policy Statement. Suggest the policy focuses on characterising the nature and scale of the effects of stormwater discharges, acknowledging that many other factors impinge on receiving water environments, which may be of much greater impact than stormwater. Also acknowledge that the greatest flow of stormwater will always be during and after a large rain event, when typically there are other large inputs of contaminants to the water body. This policy lends itself to using methods rather than rules. (c) The use of water sensitive urban design is supported to minimise the adverse effects of stormwater discharges. However, local topography and soil type does not always make it possible in new development. Any policy approach has to recognise that water sensitive urban design is not always possible.

Remove the term good management practice or clarify how it relates to normal current engineering practice or asset management systems. Remove references to techniques that are subject to decisions made under other legislation, such as the Local Government Act (bylaws) and techniques that can only happen through a district plan change. Acknowledge that non-regulatory methods are likely to be the most effective way of implementing this policy rather than rules. Amend (c) to implementing water sensitive urban design in new subdivisions and development (where topography and soil type allow) (or like effect).

<p>Policy P74: First-stage local authority network consents</p>	<p>Amend</p>
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This submission does not address the first stage of the proposed two-stage stormwater discharge consenting, given the provisions relating to the first stage have immediate legal effect, and applications must therefore be lodged within the same time-frame as decisions on the proposed plan will be made. For that reason, we have to accept the proposed two stage consenting process. The rationale for a 2 stage consenting process is not stated, and it is not anywhere in the objectives. The policy needs to be effects based and not focused on how to achieve those effects. Policies should be written with explicit "matters of assessment", rather than a prescription of asset management activities. The 2 stage approach has a second stage being restricted discretionary consent which can be refused. It is not possible to stop the flow of stormwater (without causing flooding of the community) and in real terms a controlled activity is the only practical option. The monitoring in (b) needs to be targeted to the effects of stormwater discharges - not to general state of the environment monitoring. The 5 year term appears not to have any foundation in the scale of the effects or the impact of any particular environment. Comments on (e) will be with schedule N. Wellington Water will provide an alternative Schedule N that is a risk-management focused version that is consistent with the way the networks are managed and funded. Granting short-term consents for infrastructure with a lengthy design life, well beyond the duration of the resource consent is not efficient in terms of section 5 of the RMA.

The policy should focus on the effects of the discharges and not on managing the network. Amend the policy so that it is written with explicit "matters of assessment", rather than a prescription of asset management activities. The stormwater network should be recognised and protected as regionally significant infrastructure where stormwater flow cannot be stopped. Obtain information on how the network is managed from existing documentation such as asset management plans etc. Specify monitoring that directly attributes to the discharge and is certain. (c) is business as usual for managing a network and does not add anything.

Policy P75: Second-stage local authority network consents	
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The rationale for a 2 stage consenting process is not stated, and it is not anywhere in the objectives. The policy needs to be effects based and not focused on how to achieve those effects. Policies should be written with explicit "matters of assessment", rather than a prescription of asset management activities. (a) the network is managed to meet the constraints of the Local Government Act "in a way that is most cost-effective for households and businesses. (2) In this Act (LGA), good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are— (a) efficient; and (b) effective; and (c) appropriate to present and anticipated future circumstances." Any other constraints must be consistent with this. For this reason, we are keen to be involved in the Whatua process to ensure that any options and achievement of environmental limits are fully costed and affordable for communities. (b) consistency & difference between plans and strategy (schedule N) unclear. This reads as if stormwater is the only influence on receiving water and meeting water quality objectives is entirely dependent on the stormwater system. This is not realistic. (d) "good management practice" is undefined, subjective and uncertain. If something specific is sought, then state what it is. Requiring all new greenfields development to have land-based treatment of stormwater will require changes to the district plan (which this regional plan cannot demand or enforce) and will affect economic development and potentially provision of new housing in a significant way. Suggest this is costed before taking this further. (e) This is a policy about stormwater discharges but this sub-section is about wastewater direct to the receiving environment. Suggest either removing it and placing into the appropriate policy or refer to wastewater inflows into stormwater networks. There should be an expectation for long term consents. Granting short-term consents for infrastructure with a lengthy design life, well beyond the duration of the resource consent is not efficient in terms of section 5 of the RMA.

Make an expectation for long term consents. Re-write the policy so that it does not read like a rule, so that the list is of matters of assessment rather than solutions. (a) the Whatua limits could be imposed onto an existing long term consent by review clause and an enabling policy in the plan. (b) should be re-written so that stormwater is one of many influences on receiving water quality and plans contribute but are not only responsible for meeting those Whatua established objectives. (d) Remove "good management practice". Delete this sub-section pending economic analysis of the impacts of land based treatment of stormwater for all new stormwater networks. (e) remove and place in relevant wastewater policy. (f) re-word to make it clear that network managers only control what is in the network.

<p>Policy P76: Minimising wastewater and stormwater interactions</p>		<p>Remove "interactions" from the policy and state what is intended/meant. It appears that the same standards will be applied for stormwater discharges to freshwater as to coastal water, yet are very different assimilative capacities. This should be reflected in the policy. (a) should be part of previous policy P75. Wastewater contamination of stormwater will never be fully avoided. The systems are designed in this way to avoid raw sewage flowing across public and private property and to reduce public health impacts when things go wrong or in heavy rainfall. (c) Clarify the wording. It is not clear whether the intention is for overflows to only go to storm water. Heavy rainfall events is the appropriate wording. Further definition is not practical due to the complex interaction of antecedent soil moisture and wide variety of rainfall intensity and duration and catchment specific responses to those events.</p> <p>Change the title to clarify the intent of "interactions" (a) delete as it is impracticable and contrary to public health objectives. It belongs in the previous policy on stormwater. As an alternative change to "reduce" or similar. (b) "from the existing sewerage system" becomes unnecessary. The word "reduce" is preferred rather than eliminate, but we need to be cautious not to overstate the ability to reduce inflow and infiltration. (c) retain term "heavy rainfall".</p>
<p>Policy P77: Assessing resource consents to discharge stormwater containing wastewater</p>	<p>amend</p>	<p>The policy is poorly constructed as it refers to another policy (not objective). P76 does not manage inflow and infiltration, it progressively reduces them. These are not just semantic differences. A policy should state matters of assessment, not asset management actions. All stormwater may contain wastewater and we will not know about it all the time everywhere. The concern should be about the effects and whether there is there a public or environmental health risk. We suggest it is appropriate in certain circumstances - to prevent overflowing onto land with a risk to public health. The list does not actually criteria. Referring to policy P76 confusing and unnecessary. The methods for dealing with inflow and infiltration may change and then the plan may not be followed. It is all subject to funding decisions under the LGA. (c) is not consistent with the RMA, which prescribes the requirements for consultation when applying for resource consent and this plan cannot over-ride the RMA.</p> <p>Re-write the policy to state a list of matters of assessment, not asset management actions. Remove the policy's reference to policy P&amp;76. c) delete.</p>
<p>Policy P78: Managing stormwater from large sites</p>	<p>Amend</p>	<p>It is not clear how this policy relates to provisions about local authority stormwater networks, as it is quite possible for large sites to discharge into TA networks and then eventually discharge to water. This policy should be a list of matters of environmental assessment not asset management actions and priorities. (b) does not have any indication that the primary purpose of a stormwater system is to prevent flooding. It is that purpose that is a major driver for improvements. (e) incorrectly refers to policy P73 as that policy does not prescribe what good management practice is.</p> <p>Clarify how this policy relates to provisions about local authority stormwater networks. In accordance with recommended policy construction (Quality Planning website) change the policy to be a list of matters of environmental assessment. Clarify the use of "good management practice" or remove the term.</p>

<p>Policy P79: Managing land use impacts on stormwater</p>	<p>It is not clear if the means to achieve this requires a district plan change - which this plan cannot require. (b) The level of risk of flooding, or level of service, is determined by territorial authorities through Local Government Act decision-making processes. We suggest the primary way of achieving this policy should be through "other methods". The requirement, even when qualified by "as far as practicable", is likely to stifle urban growth and development. Site hydrology is one factor of many that go into whether a development is economically feasible, and cannot be allowed to be the sole determining factor. The policy is unclear about the intention and detail about its requirement to retain pre-development hydrographs and overlaid flow paths. It is not possible or practical to synthesize hydrographs and flowpaths for a particular site for what the pre-development state would have been because hydrographs are not static even in an undeveloped state. The results would be wildly inaccurate and bound to error from changes in the upstream environment. It is possible the intention is to not alter the 'hydrograph', that is, the diurnal patterns, time of concentration etc. A hydrograph is a report, graphical in nature. If the intent is to ensure that a development does not alter hydrological characteristics of a stream or channel, or alter the characteristics of overlaid flowpaths, then the policy needs to say that "...including by retaining...pre-development hydrographs" means something completely different.</p>
<p>Amend</p>	<p>Clarify whether a district plan change is intended in order to achieve this policy. Clarify that this policy is to be achieved by non-regulatory collaborative methods. (b) refer to not increasing risk rather than causing a risk. Clarify the intention and detail of "retaining as far as practicable, pre-development hydrographs and overlaid flow paths".</p>
<p>Policy P80: Replacing wastewater discharge consents</p>	<p>This policy is about what should be in a consent application. It does not go further than that. The policy would be useful if it stated how consent applications for existing wastewater discharges are to be treated and provide a relevant list of matters of assessment. For example, it could give effect to the Regional Policy Statement directive to recognise and protect regionally significant infrastructure by explicitly recognising the existing community investment in the infrastructure and allow for previous studies on land disposal options for wastewater discharge to be submitted for new consents, even if they are required to be updated. It could recognise that any costs of consent applications are likely to be funds that could have been devoted to improvements and upgrades of the system itself, thereby making improvements to the discharge.</p> <p>Delete the current wording of policy P80. Reconstruct the policy to say how consent applications will be treated and provide a relevant list of matters of assessment. The policy should also recognise and protect regionally significant infrastructure by explicitly recognising the existing community investment in the infrastructure and allow for previous studies on land disposal options for wastewater discharge to be submitted for new consents, even if they are required to be updated. It could recognise that funds for a consent process would otherwise be allocated to physical improvements to the system and discharge water quality. It could describe how the financial costs of such consent processes could be minimised, whilst still allowing for public participation.</p>
<p>Amend</p>	<p></p>

Policy P81: Minimising and improving wastewater discharges		<p>The policy does not appear to provide for existing discharges from wastewater treatment plants to coastal water. This is the current situation for the four cities of this region. The adverse effects should be in accordance with the policies and objectives in this Plan, rather than minimising them. The end-point of "minimising" is zero discharge. This is not practicable or realistic. It is not clear what the baseline is in order to apply "progressively improved or reduced". The quantity of discharge from treatment plants is mostly driven by population and rainfall for dry weather and wet weather respectively. Quality of treatment can be increased, but at a cost of both capital investment and energy consumption and consequential greenhouse gas emissions. The assessment of this cost benefit should be based on affordability, priority and environmental effect, not just environmental effect alone. Reducing quantity of existing discharges will ironically reduce quality due to reduced dilution of a finite source of contaminants. The policy does not refer to the differing assimilative capacities of freshwater and coastal water. It does not recognise and protect regionally significant infrastructure or the major community investment in that infrastructure. (a) Consultation under the Local Government Act always happens for these types of discharges as they are significant and mandatory services to be provided by councils and the community (including mana whenua) decides how much they are willing to pay for levels of treatment. Reducing major discharges could inhibit population and economic growth of the cities. It may be preferable to refer to increasing efficiencies or seeking out latest technologies to reduce contaminant production.</p>	<p>Provide for existing discharges from wastewater treatment plants to coastal water. Delete the reference to "shall be minimised" and change it to the effect of "to achieve the water quality outcomes in this Plan". If progressive improvement or reduction is to be retained, state the baseline from which this is to be measured. Distinguish between discharges to freshwater and to coastal water based on the difference in effects on the environment and the assimilative capacity. Suggest that a separate approach (and policy framework) is applied for the area of the four metropolitan cities in this region, recognising the population and current and future degree of development, the amount of existing infrastructure that is regionally significant, and that feasibility studies for land disposal of wastewater have already been done and significant expense is required to do them again for no environmental benefit. This is not the same situation as in the Wairarapa. Recognise the differences in scale and effects from various types of discharges and to different environments.</p>
Policy P82: Mana whenua values and wastewater discharges	Amend	<p>This should reflect Part 2 RMA and sections 6 and 7 RMA. GWRC manages the receiving waters and this plan is the mechanism. The wastewater treatment plant operator does not manage the receiving waters, only the point source to it. "Reasonable steps" and "reflect" are too vague. These values need to be stated as a list of assessment matters, in a manner that can be implemented.</p>	<p>Clarify the intent of this policy to recognise which agency manages what aspects, to clarify the values and interests, and to clarify the matters of assessment.</p>
Policy P83: Avoiding new wastewater discharges to fresh water	Oppose	<p>"New wastewater discharges" should be defined as "unconsented wastewater discharges" to avoid confusion, because such discharges do exist to protect public health particularly in heavy rainfall events. The term "avoid" implies non-complying consent status. This is not reasonable or realistic for existing regionally significant infrastructure whose purpose is to protect public health. See comments on policy P80 and definitions in 2.2. The presence of previously defined "emergency" overflows needs to be recognised and provided for.</p>	<p>Amend definitions of existing and new wastewater network discharges in 2.2 as detailed above in this submission. Change "avoid" to allow for a discretionary activity status for such discharges from regionally significant infrastructure whose purpose is to protect public health.</p>



<p>Policy P85: Biosolids and treated wastewater to land</p>	<p>Amend</p> <p>We support having a specific policy for beneficial use of biosolids to land with appropriate controls. This policy does not provide sufficient policy support and assessment criteria for implementing rules R77 to R80, which are very detailed. There may be value in also referring to "Best management practices for applying biosolids to forestry plantations in New Zealand" GN Magesan, Hailong Wang, Peter Clinton, February 2010 NZ Forest Research Institute Ltd.</p> <p>Provide sufficient policy support and assessment criteria to support rules R77 to R80. Consider also referring to "Best management practices for applying biosolids to forestry plantations in New Zealand" GN Magesan, Hailong Wang, Peter Clinton, February 2010 NZ Forest Research Institute Ltd.</p>
<p>Policy P97: Managing sediment discharges</p>	<p>Amend</p> <p>The term good management practice is open to many possible interpretations. It would be better to be more specific and refer to published guidelines. The requirement to offset should be part of a proper policy framework and only as part of mitigation and not another additional step after mitigation (which would be consistent with the RMA). Our comments to policy P32 are relevant: "(d) is beyond the scope of the RMA. In case law, offsetting has been used as part of the mitigation process. It is not an additional step after "avoid, remedy or mitigate" in section 5 RMA. Schedule G does not refer to "any residual effects" but to effects that may be "more than minor" and it includes limitations to its applicability and only to measurable effects. The principle of "no net loss" is very significant, and if this is to be adopted by GWRC, it requires an objective and policy framework to support it."</p> <p>Remove "good management practice" or be more specific, for example, refer to published guidelines. Remove reference to offsetting.</p>
<p>Policy P102: Reclamation or drainage of the beds of lakes and rivers</p>	<p>Amend</p> <p>Support the principle in (c) of recognising the desires for communities to grow. However, the list of qualifying urban growth areas is restrictive and should be expanded to include growth areas identified in a District Plan or council-approved structure plan. Support (d) recognising the efficient operation of regionally significant infrastructure, as long as "upgrade" is defined so that infrastructure is brought up to "community decided levels of service" not "current standards" so that infrastructure can accommodate growth. Introduce a new policy to manage reclamation and drainage of streams within urban growth areas where instream values should be remedied or mitigated. The definition of "reclamation" is confined to reclamation in the CMA. However this policy and rule R127 also deal with reclamation on lake or river beds. More clarity is needed about what constitutes reclamation in the beds of lakes and rivers context.</p> <p>Extend (c) to include growth areas identified in a District Plan or structure plan approved by the local authority. Ensure that the definition of "upgrade" in (d) means that infrastructure is brought up to "community decided levels of service" not "current standards" so that infrastructure can accommodate growth. Introduce a new policy to the effect of: Manage the reclamation or drainage of the beds of rivers associated with: (a) a qualifying development within a special housing area; or (b) associated with a growth or development framework or strategy approved by a local authority under the Local Government Act 2002 or contained within a District Plan to remedy, mitigate or offset adverse effects on instream values. Amend the definition of reclamation to clarify its meaning in relation to the bed of a lake or a river. Ensure this policy and rule R127 in terms of reclamation are consistent with other provisions for temporary damming and diversion of rivers or lakes.</p>
<p>Policy P103: Management of gravel extraction</p>	<p>Amend</p> <p>Unclear whether extraction of gravel etc also means the removal from the river system. Wellington Water sometimes needs to protect infrastructure by moving river gravel to stop erosion of infrastructure, but this gravel is not removed from the river.</p> <p>Clarify whether the intention is to address removal of gravel from the river.</p>

Policy P105: Protecting trout habitat	Amend	<p>It is not clear what "use and development in and around these rivers" refers to. In some cases involving regionally significant infrastructure maintaining fish passage for trout as required by (d) may be impractical or inappropriate (e.g. where there is an upstream population of native fish that could be threatened by the introduction of trout). The policy is inconsistent with Policy P35 which requires restoration of fish passage only where appropriate.</p> <p>Clarify what the use and development is of. Amend (d) to read "maintain fish passage for trout where practical and appropriate, and"</p>
Policy P106: Management of plants in the beds of lakes and rivers	Amend	<p>Clarify that this policy does not apply to constructed artificial lakes. This should not apply to the Macaskill water storage lakes.</p> <p>Clarify that this policy does not apply to the Macaskill water storage lakes or artificial constructed lakes.</p>
Policy P107: The framework for taking and using water	Support	<p>Wellington Water have a sophisticated model and work closely with GWRC hydrogeology staff on management of the aquifer.</p>
Policy P108: Integrating Policy P109: Lapse dates affecting water takes	Support	<p>Wellington Water have a sophisticated model and work closely with GWRC hydrogeology staff on management of the aquifer.</p> <p>Our understanding is that a longer lapse period can be applied for if "justified due to the scale or complexity of the activity", which might apply to major water supply infrastructure. We also understand that a consent can be renewed if necessary due to delay. Circumstances which might affect Wellington Water include if we were to secure a consent before building new bulk supply capacity, then have growth forecasts change which would defer the start date beyond the 3 years. It is not clear if a forecasting change would meet the "scale or complexity" criteria.</p> <p>Clarify if a growth forecasting change would meet the "scale or complexity" criteria in the context of building new bulk water supply capacity.</p>
Policy P111: Water takes at minimum flows and water levels	Support	<p>We support the provisions of this policy and policy P115 which give priority for water used to promote the health needs of people. To be consistent with P112 it should include root stock protection.</p> <p>Add root stock protection.</p>
Policy P112: Priorities in drought and serious water shortage	Amend	<p>The purposes that water takes shall be limited to should be stated in order of priority, and consistent with policy P114, that is health needs of people first, followed by stock drinking water followed by other uses. This policy uses the term "human health". Section 2 of the Plan defines the term "health needs of people".</p> <p>Replace "human health" with "health needs of people". Put the purposes that water takes shall be limited to in order of priority, with health needs of people first, followed by fire-fighting, stock drinking water and protection of root stock before other uses.</p>
Policy P113: Core allocation for rivers	Amend	<p>Wellington Water abstracts from the Hutt, Wainuiomata and Orongorongo Rivers. The authorised takes are several times the core allocation listed in chapter 8 Wellington Harbour and Hutt Valley Whatua for the purposes of security of the public water supply and maintenance/failure scenarios. Although these authorised takes are recognised under sub-paragraph (a), Wellington Water is concerned that the large difference may lead to a public perception that too much water is being taken for public supply. The policy should acknowledge that the guidelines quoted are intended to provide guidance where scientific monitoring information is not available to gauge the effects of abstraction. The priority of allocation for normal, non-drought or shortage circumstances, should reflect the priorities in policy P114, being health needs of people, fire fighting, stock drinking water, rootstock.</p> <p>Add: "Unless scientific information indicates that abstraction at other rates is appropriate" or similar. See also comments under chapter 8 Wellington Harbour and Hutt Valley Whatua. The priority of allocation for normal, non-drought or shortage circumstances, should reflect the priorities in policy P114, being health needs of people, fire fighting, stock drinking water, rootstock.</p>

Policy P114: Priorities when demand exceeds supply	Amend	This policy is inconsistent with P112. It should include fire fighting and root stock protection before "other values".	Amend (c) to read fire fighting. Add (d) root stock protection.
Policy P115: Authorising takes below minimum flows and lake levels	Amend	GWRC Bulk Water has consents to take water from the Hutt River, the Wainuiomata River and the Orongorongo River. Each consent has a downstream minimum flow requirement included as a condition. The policy should recognise any minimum flows stipulated in existing Resource Consents. In (b), clarify what the meaning that water may be used by industry for a period of 7 years from the date of notification of the Plan, whether it means no industrial use after 7 years if rivers are below minimum consented flow levels.	In (b), clarify the meaning that water may be used by industry for a period of 7 years from the date of notification of the Plan. Add after (e): "or where authorised by an existing Resource Consent".
Policy P116: Reallocating water	Support		
Policy P118: Reasonable and efficient use	Amend	As a risk management mechanism Wellington Water operates multiple sources and holds consents to abstract 293 million litres a day, roughly twice the amount supplied on an average day. However during the peak of summer the amount of water available is dictated by minimum flows and aquifer levels, and in some years is not sufficient to meet the normal demand, even when supplemented by stored lake water. The four city councils in this region do not have universal metering. However, there is probably enough commercial metering in place to be able to provide a reasonable estimate of the breakdown sought in schedule Q. Wellington Water is able to demonstrate what measures are in place to maintain or improve water efficiency. There is no methodology that is appropriate to all NZ suppliers as they all have distinctive and different circumstances. Hence meaningful comparability with other water suppliers is not possible. The risk management approach taken by GWRC bulk water supply should be recognised. The meaning of "reasonable and efficient" is critical in an urban water supply context and it needs to be accompanied by how it is measured. It is not clear what P118 (b) "maximising efficiency when designing distribution systems" means. It is not clear how it relates to the ongoing maintenance of these systems to maintain a level of efficiency.	Rephrase (b) to clarify what "maximising" means in relation to designing systems and how that relates to operations to maintain a level of efficiency. Suggest add (e) "Risk management and redundancy policies adopted by the operators of regionally significant water supply infrastructure as provided for in Schedule Q (efficient use)."

Policy P119: Unused water	<p>The definition of unused water needs to clearly specify that community drinking water suppliers are excluded. The definition is written from the perspective of a water user on a specific parcel of land, such as a farmer. As it stands, it does not have relevance to a community water supplier. The policy as it stands could be read to apply to a community water supplier. The applicability of this policy needs to be clarified. Wellington Water holds consents for twice the normal daily supply, but during summer conditions this water is not in fact available. The use of multiple sources and consents for supplying potable water to four cities complicates the situation. Parts of Wellington Water water-take consents should not be defined as unused. Remove the requirement to show how the unused water will be used within four years for the purposes of community drinking water supply. It is not clear what the purpose is of "...or the abstraction rate is changed...". Changing the rate of abstraction is relatively minor compared with replacing an existing consent and should not trigger this Policy. A risk management strategy should be included identifying the level of redundancy needed and assess the level of risk with and without the requested redundancy.</p> <p>Amend</p>
Policy P120: Taking water for storage	<p>This policy appears to be the mechanism to implement policy P117. If this is so, other unspecified considerations should not be introduced by use of the term "is appropriate". If there are other considerations, then they should be specified.</p> <p>Amend</p>
Policy P121: Preventing salt water intrusion	<p>It would be helpful if the datum is specified rather than just saying "sea level".</p> <p>Amend</p>
Policy P122: Flow variability	<p>Abstraction for river water takes for public water supply typically shuts down only during fresh events because of poor water quality.</p> <p>Support</p>
Policy P123: Direct, cumulative adverse effects	<p>Support</p>
Policy P124: Surface water intakes	<p>Support</p>
Policy P125: Taking of groundwater	<p>The policy does not cater for foundation work that does not result in taking water but has the potential to result in cross-contamination between aquifers or water-bearing layers. Extend the scope of policy P125 to read "The taking of groundwater shall not allow the interconnection of groundwater between aquifers and shall not result in cross-contamination..." or to like effect.</p> <p>Amend</p>

Change the definition to specifically exclude community drinking water suppliers. Clarify whether this policy applies to community water suppliers. Alternatively, for the purposes of community water supply, remove the four year period to show how unused water will be used. Extend (b) to read as follows: "(b) satisfying the reasonable and efficient criteria identified in Schedule Q (efficient use), including risk management and redundancy provisions for essential services" or to like effect. Alternatively, insert a new point c) instead of amending point b) as follows (or to like effect) c) a risk based justification for retaining any unused allocation for the purpose of achieving system reliability for a group drinking water supply or community drinking water supply. Include a risk management strategy identifying the level of redundancy needed and assess the level of risk with and without the requested redundancy. Delete "...or the abstraction rate is changed..."

Remove the term "is appropriate" and re-word to be certain, such as, "Water may be taken for storage outside a river bed at flows above the median flow provided Policy P117 is satisfied".

Change to read: "(b) maintaining water levels at 2m above Wellington vertical datum 1953..." or to similar effect.

Change name of policy to "Taking of groundwater or disturbance of geology", or similar. Change wording to have the effect of: "The taking groundwater or undertaking of any activity that disturbs the ground shall not result in cross-contamination between aquifers or water-bearing layers that results in, or may result in, adverse effects on water quality." Alternatively create a new policy with similar intent.

Policy P126: Site dewatering	Support		
Policy P127: Backflow of contaminants	Amend	This policy should also include no backflow of contaminants from bores used to supply water for industrial processes.	Include no backflow of contaminants from bores used to supply water for industrial processes or similar effect.
Policy P128: Transfer of resource consents	Support		
Policy P129: Minimum flows and water levels	Support		
Policy P130: Bores	Amend	Where underground water sources are artesian, no bore (water bearing or otherwise) should compromise the integrity of the artesian capping layer (aquiclude). Recommend adding a new subsection to the effect of "The taking of groundwater shall not allow the interconnection of groundwater between aquifers and shall not result in cross-contamination". NZS 4411:2001 can protect the aquifer by requiring double casing where there is a specific local authority requirement, such as could be required in this Plan.	Add a new section to the effect of "The taking of groundwater shall not allow the interconnection of groundwater between aquifers and shall not result in cross-contamination" and requiring double casing of bores when implementing NZS 4411:2001.
Policy P131: Bores no longer required	Amend	The policy is not clear whether it applies to the process of decommissioning bores or whether it obligates owners or occupiers of unused bores to decommission them. Obligating owners of unused bores to decommission them in a safe manner reduces the risks of water leakage and contamination. Our preference is that all abandoned bores shall be appropriately decommissioned. A new Method could provide for collecting information about where the bores are and what condition they are in, as a first step in managing such environmental risks.	Clarify whether the policy is referring to the need to use a safe method of decommissioning an unused bore or whether it obliges owners or occupiers of unused bores to decommission them. All abandoned bores shall be decommissioned in a safe manner that does not compromise the aquifer and has minimal environmental effects. Insert a new Method that provides for collecting information about where the bores are and what condition they are in.
Policy P136: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	Support		
Policy P138: Structures in sites with significant values	Support	support (d).	
Policy P143: Deposition in a site of significance	Support	Support (e) and (f)	
Policy P147: Motor vehicles on the foreshore	Support	Support (d).	Retain.
Policy P148: Motor vehicles in sites with significant value	Support	Support the inclusion of the use of vehicles on the foreshore for the purposes of emergencies, law enforcement, local authority or regionally significant infrastructure purposes. Three waters infrastructure such as stormwater outfalls exists in many relevant locations. It is important that vehicle access is maintained to operate, maintain or improve such regionally significant infrastructure.	





**Rules - Air quality**

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rule R8: Diesel or kerosene – permitted activity	Support	
Rule R12: Emergency power generators – permitted activity	Amend	Standby generators (emergency generators is the preferable term) are an essential component of wastewater treatment plants and some critical pumping stations and this rule assists in the ongoing use of these facilities.  Change "Emergency power generators" to "standby power generators".
Rule R33: Mobile source emissions – permitted activity	Support	
Rule R34: Gas, water and wastewater – permitted activity	Amend	Wastewater networks and pump stations etc. will discharge low levels of contaminants to air and this proposed rule is appropriate to provide for operation and maintenance of regionally significant infrastructure and will avoid the need for many costly and unnecessary consents. Insert "processes" after "wastewater" in the title of the rule.  Insert "processes" after "wastewater" in the title of the rule.





Rules - Discharges to water

Revision on this proposal

Reasons for my submission:

I seek the following from WRC (give precise details):

Rule R42: Minor discharges – permitted activity		<p>A discharge of water containing 100 g/m<sup>3</sup> may be reasonable but we do not know how achievable this is. Provision of supporting data that demonstrates concentrations less than 100 g/m<sup>3</sup> is achievable would be useful. The conditions may trigger dewatering activities into a fully discretionary activity, which could carry significant operational consequences in terms of time, cost and risk. Councils may have to undertake monitoring to determine under what circumstances these standards might be breached. There is no specific rationale set out in the background documents, other than a stated expectation that water quality will be progressively improved.</p>	<p>Provide a special category of permitted activity for regionally significant infrastructure, or have consents trigger to controlled activity status.</p>
Rule R43: Water to water – permitted activity	Support		
Rule R45: Potable water – permitted activity	Support		
Rule R46: Dye or salt tracer – permitted activity	Amend	<p>The notification requirement under (d) may be excessive. Typically shortly before dye testing is carried out for identifying cross connections between wastewater and stormwater networks, a phone call is made to GWRC Pollution Response Unit. This has been adequate. Unplanned reactive testing will not allow for 24 hours written notice, but will be possible for planned work.</p>	<p>Suggest (d) is amended to notification of GWRC Pollution Response Unit by phone or email prior to the testing.</p>
Rule R48: Stormwater from an individual property – permitted activity	Amend	<p>This rule relates to the discharge of stormwater from an individual property. As roads are contiguous and under one ownership, the entire road network within a district could be considered one property. It is unclear whether these rules are intended to apply to stormwater runoff from roads. As usually that stormwater entered the local authority stormwater network, it is unclear how this rule relates to rules R50 and R51.</p>	<p>Clarify how the rules relate to stormwater runoff from the local authority road network that goes into the local authority stormwater network.</p>

<p>Rule R50: Stormwater from a local authority network at plan notification – controlled activity</p>	<p>This submission does not address the first stage of the proposed two-stage stormwater discharge consenting (this rule), given the provisions relating to the first stage have immediate legal effect, and applications must therefore be lodged within the same time-frame as decisions on the proposed plan will be made. The rationale for a 2 stage consenting process is not stated, and it is not anywhere in the objectives. The policy needs to be effects based and not focused on how to achieve those effects. The 2 stage approach has a second stage being restricted discretionary consent which can be refused. It is not possible to stop the flow of stormwater (without causing flooding of the community) and in real terms a controlled activity is the only practical option. The second consent in rule R51 should anticipate a long term controlled activity consent, with a review clause to implement Whatitua catchment limits when they have been set. The 5 year term of rule R50 appears not to have any foundation in the scale of the effects or the impact of any particular environment. Support controlled activity status and non-notification. However there is no reason given for starting time period at the date of notification of the plan. In order to recognise and protect regionally significant infrastructure it would be better to grant consent for the maximum 35 years, with a review clause to give effect to the outcomes of the Whatitua process, which will take financial implications into account. It is not clear what sort of acute effects are envisaged in matters of control "2". The single permitted stormwater rule relates to the discharge of stormwater from an individual property. As roads are contiguous and under one ownership, the entire road network within a district would be considered one property. It's unclear whether these rules are intended to apply to stormwater runoff from roads and whether road stormwater is intended to be part of rule R50 activities.</p> <p>Amend</p> <p>Clarify what sort of acute effects are envisaged in matters of control "2". Clarify how the rules relate to stormwater runoff from the road network that goes into the stormwater network.</p>
<p>Rule R51: Stormwater from a local authority network two years after public notification – restricted discretionary activity</p>	<p>it is not physically possible to stop the activity of discharging stormwater, so the classification of controlled activity is the only logical one because the application cannot be declined. The reality is that conditions will be applied and probably additional works will be carried out. It is better that funding is spent on these works rather than on procedures that in themselves do not improve environmental outcomes, such as the processing of consents. A maximum term is appropriate together with a review clause to implement the outcomes of the Whatitua process. The single permitted stormwater rule relates to the discharge of stormwater from an individual property. As roads are contiguous and under one ownership, the entire road network within a district would be considered one property. It's unclear whether these rules are intended to apply to stormwater runoff from roads and whether road stormwater is intended to be part of rule R51 activities.</p> <p>Oppose</p> <p>Allow for maximum term with review clause to implement the Whatitua outcomes. Make it controlled status. Justify why 2 years from notification of the plan. Clarify how the rules relate to stormwater runoff from the road network that goes into the stormwater network.</p>

Rule R52: Stormwater from large sites – restricted discretionary activity	Amend		<p>It is not clear how this rule relates to the local authority stormwater network rules, as it is quite possible for large sites to discharge into TA networks and then eventually discharge to water. We note the consent is not 2-stage and does not need a Schedule N Stormwater Management Strategy. Matter for discretion 2 is somewhat unrealistic. Such large sites already exist. They no longer have any choice about any proximity to any special sites in schedules A, B, C and F. Matter for discretion 3 could be interpreted as determining the level of flood risk the large site should be subject to. Adverse effects on the environment are one of the factors that would be considered against level of damage to people and property. It is possible a cost-benefit analysis would reveal minimisation of environmental effects could increase the flooding risk and damage to property costs.</p>
Rule R53: All other stormwater – discretionary activity	Amend		<p>It is not clear what sort of situations is this envisioned to cover.</p>
Rule R61: Existing wastewater – discretionary activity	Amend		<p>The rules need to distinguish between different scale of effects between continuous high volume wastewater treatment plants and overflows from pump stations, and different scale of effects of duration between continuous WWTP discharges and occasional (wet weather) temporary discharges from pump station constructed overflows. The rule should recognise that TAs have a legal requirement to provide a wastewater service, that it is regionally significant infrastructure, and that there are public health benefits for controlled overflows when systems break down or high rain events, so that raw wastewater does not spill onto roads and property in uncontrolled ways.</p>
Rule R62: New wastewater to fresh water – non-complying activity	Oppose		<p>There is no rule for new discharges of wastewater into coastal water. The definition of new discharge complicates the understanding of the rule. "New" is actually unconsented. Such discharges exist for good public health reasons and should be provided for. Reiterating our comments on P68, the existing "emergency" but not currently consented wet weather wastewater overflows need to be recognised. They are part of the existing regionally significant infrastructure. This can be done by changes to the definitions of "existing" to reflect currently built and occasionally operating but unconsented overflow structures.</p>

Clarify how this rule relates to local authority stormwater network rules.

Clarify the situations this rule is likely to apply to.

Re-draft the rules to distinguish between the nature of environmental effects between different scale of effects of continuous high volume wastewater treatment plants and occasional (wet weather) temporary discharges from pump station constructed overflows that have a minor and temporary effect only.

Include a new rule that allows for new discharges of wastewater to coastal water. Amend definitions of existing and new wastewater network discharges in the Interpretation section as follows: Change existing discharge to "... means a discharge from an existing wastewater network which may or may not be already authorised by an existing consent. ...." or to like effect. Change new discharge to "In the context of ... wastewater network means a new or proposed new structure which may discharge into freshwater or marine coastal area under reasonably foreseeable conditions" or to like effect.



**Rules - Discharges to land**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rule R71: Pit latrine – permitted activity	Support	Support (a)(ii) in order to protect the community drinking water supply protection areas.	No change sought.
Rule R75: New or upgraded on-site wastewater systems – permitted activity	Support	Support (e)(iv) in order to protect the community drinking water supply protection areas.	No change sought.
Rule R76: New or upgraded on-site wastewater systems within community drinking water supply protection areas – permitted activity	Support	Matters of control 1 and 2 to assess effects on community drinking water supply are supported.	No change sought.
Rule R77: Application of Aa biosolids to land – permitted activity	Amend	There should be reference to the Ministry for the Environment "Guidelines for the application of biosolids to land in New Zealand" which defines Aa and Biosolids Quality Mark.	Refer to the Ministry for the Environment "Guidelines for the application of biosolids to land in New Zealand".
Rule R78: Application of biosolids (Ab, Ba, or Bb) to land – restricted discretionary activity	Support	Support (a) to protect the community drinking water supply. This will provide an appropriate framework for management of biosolids to land that was lacking in the previous plan and has resulted in highly treated biosolids going to landfill or being transported out of the region.	Retain
Rule R79: Discharge of treated wastewater – controlled activity	Support	This policy is supported as discharge to land is ideal. However, discharge to land is not practicable for the treatment plants currently under the management of Wellington Water – the volumes are too large and soils are not suitable. Support (a) to protect the community drinking water supply. The soil and topography conditions in the urban metropolitan cities would suggest that discharge of treated wastewater to land would not be possible anywhere within their areas under this rule.	Retain
Rule R80: Discharge of treated wastewater – restricted discretionary activity	Support	The soil and topography conditions in the urban metropolitan cities would suggest that discharge of treated wastewater to land would not be possible anywhere within their areas under this rule.	Retain

Rule R81: Drinking water treatment plant supernatant waste – controlled activity	Support	
Rule R83: Discharge of collected animal effluent onto or into land – controlled activity	Support	
Rule R89: Farm refuse dumps – permitted activity	Support	
Rule 92: All discharges to land within community drinking water protection areas – restricted discretionary activity	Amend	

Support condition (e)(iii) to protect community drinking water supply areas.  
 Support condition (e)(iii) to protect community drinking water supply areas.  
 Support condition (d)(iii) to protect community drinking water supply areas.  
 Minor typo in title – missing “R”. Clarify whether this includes the application of agrichemicals, pesticides, poison baits, etc.  
 Retain (e)(iii) to protect community drinking water supply areas.  
 Retain condition (d)(iii) to protect community drinking water supply areas.  
 Change name to “Rule R92”. Clarify whether this rule includes the application of agrichemicals, pesticides, poison baits, etc

**Rules - Wetlands and beds of lakes and rivers (ision on this pr**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Beds of lakes and rivers general conditions			
<p>Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity</p>	<p>Amend</p>	<p>General conditions a, b, c, l, j, appear acceptable and logical. Condition (d) - Could cleaning stormwater intakes be restricting fish passage for a short time? The short term nature of the works, the importance of clearing such structures which are regionally significant infrastructure for flood protection and the less than minor effect on fish passage should make it a specified permitted activity. e &amp; f - Exclude applicability for clearing damage and debris in the stormwater network after a storm, due to the immediate need for flood protection and the temporary and beneficial nature of the work (including removal of sediment from entering sensitive receiving environments); g(i) - the scale of sediment allowed here is far in excess of what is normally done for clearing stormwater structures. Condition (k) is unclear. The stormwater intake structures are designed to catch debris, and it is then removed as part of normal operations and needs to be provided for as permitted.</p>	<p>No change to general conditions a, b, c, l, j. (d) Change to allow for short term stormwater networks maintenance activities to be permitted. (e) &amp; (f) Specify exclusion for storm debris clearance work in the stormwater network. Condition (k) - extend the condition to include removal of flood debris against the stormwater intake structure and immediately upstream of it.</p>
	<p>Amend</p>	<p>Conditions (g) (i) &amp; (ii) can restrict minor low impact improvements such as rip-rap around stormwater outlets to mitigate scour. The % description does not clarify the extent of what is permitted. It is confusing and difficult to interpret and apply, e.g. where in the structure is the cross-sectional area measured? Greater flexibility is required, for example, to be able to use gabion baskets for preventative maintenance. This rule, nor any other rule in the proposed plan permits the damming and diversion of water by existing structures, which should be provided for, especially if the structure is part of regionally significant infrastructure. Temporary damming is sometimes required to create a dry work area for maintenance and upgrade works, and this would appropriately be a permitted activity subject to conditions.</p>	<p>Do not use % descriptor or clarify its use. Increase the projection dimensions to allow for reasonable protection by rip-rap. Allow for preventative maintenance procedures such as the use of gabion baskets. Include 'damming of water' in the list of associated activities that are permitted. Allow for temporary damming for conducting maintenance and operational work on infrastructure.</p>



<p>Rule R113: Diversion of flood water by existing structures – permitted activity</p>	<p>(a) The % description does not clarify the extent of what is permitted. Temporary stream damming and diversion is often required to create a dry work environment for the construction of erosion protection structures. It's unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions.</p> <p>Do not use % descriptor or clarify its use. Clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>
<p>Rule R114: River crossing structures – permitted activity</p>	<p>Amend</p> <p>The existing Regional Plan for Freshwater includes Rule 8 "The damming and diversion of water by a structure that was existing and lawful on 25 January 1997 is a Permitted Activity." A similar provision is required in this Plan. Without this rule Wellington Water will need to obtain resource consents for our weirs and dams, including unused structures. The Macaskill Lakes have permanently diverted a few small streams. It would be a waste of public money to have to apply for a resource consent for the diversions. These allow weirs, small bridges and pipelines over streams with a small catchment area. A lot of the GWRC bulk water structures and pipelines are on streams and rivers with a catchment area &gt; 200ha. We suggest resource consents should not be required for our existing road and foot bridges and pipeline stream crossings that existed pre this Plan. Temporary stream damming and diversion is often required to create a dry work environment for the construction of erosion protection structures. It's unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions.</p> <p>Amend</p> <p>Allow for "The damming and diversion of water by a structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity" or similar. Clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>

<p>Rule R116: Establishing a small dam and existing dams – permitted activity</p>	<p>The existing Regional Plan for Freshwater includes Rule 8 "The damming and diversion of water by a structure that was existing and lawful on 25 January 1997 is a Permitted Activity." A similar provision is required in this Plan. Without this rule Wellington Water will need to obtain resource consents for our weirs and dams, including unused structures. The Macaskill Lakes have permanently divert a few small streams. It would be a waste of public money to have to apply for a resource consent for the diversions. Temporary stream damming and diversion is often required to create a dry work environment for the construction of erosion protection structures. It's unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions.</p> <p>Amend</p> <p>Allow for "The damming and diversion of water by a structure that was existing and lawful on the date of notification of this Plan as a Permitted Activity" or similar. Clarify that temporary stream damming and diversion required for in-stream structures are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>
<p>Rule R117: New structures – permitted activity</p>	<p>Erosion protection structures and debris arrestors (to stop woody debris, rocks and household debris from blocking pipes) are not included and there is no specific policy directing their appropriateness. These are common and important in-stream structures so should be specifically provided for. Temporary stream damming and diversion is often required to create a dry work environment for the construction of erosion protection structures. It's unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions. In condition (f), add an exclusion for maintenance, operation and upgrade of three waters regionally significant infrastructure. Schedule C excludes huge areas of routine work such as the whole of the Hutt River. In condition (h), the basis or logic for using 10m<sup>2</sup> as a threshold in h is not clear. For example some of the stormwater network structures have multiple components which are not physically attached. Condition (j) - It is not clear what the 0.5m dimension means, especially when weirs fill up and are buried. It is not clear if the upstream or downstream side is to be measured, and whether it is to be measured at the time of installation or later when the original depth is uncertain. Condition (k) - The intent is not clear here, as discharged water is unlikely to be better than receiving water by just going through monitoring equipment.</p> <p>Amend</p> <p>Change to specifically provide for in-stream erosion protection structures and debris arrestors. In condition (f), add an exclusion for maintenance, operation and upgrade of three waters regionally significant infrastructure. For (h) and (j), refine and justify the threshold measures. Reconsider how the dimensions are described and if they are necessary. Reconsider and refine the wording of condition (k) to indicate how the water quality could be better or ascertained.</p>

<p>Rule R119: Clearing flood debris and beach recontouring – permitted activity</p>		<p>Support (d) which specifically mentions stormwater discharge pipes. It should include preserving the flood protection function of the stormwater structure (during the 3 month trout spawning period) to enable pro-active maintenance and avoidance of potential flood damage. "Flood debris" are not defined, making interpretation of the rule unclear. "Beach recontouring" is defined, however it should relate to all bed material not just gravel.</p> <p>Condition (f) requires the operation to occur only on those parts of the river bed not covered by water at the time of the works. While this is generally possible, there often needs to be a small amount of working in the flowing channel to ensure effective recontouring that pre-empts future obstructions.</p> <p>Condition (g) appears to relate to the depth of excavation, appears to have an arbitrary cutoff of 1 metre and is not worded clearly. We suggest increasing the cutoff to 1.5 metres, which would encompass a greater proportion of routine maintenance activities for regionally significant infrastructure.</p> <p>Temporary stream damming and diversion is often required to create a dry work environment for the construction of erosion protection structures. It's unclear whether these are included in the list of 'associated' activities for structures, or if the separate damming and diversion rules apply. As these activities are limited to the duration of the associated works, it is appropriate for them to be permitted, subject to reasonable conditions</p>	<p>Change (d) to include preserving the flood protection function of the stormwater structure to enable pro-active maintenance. Include a definition for "flood debris" that covers the wide range of materials that can build up and cause blockage during a flood.</p> <p>Include a definition for "river beach" that includes material build up around culverts and bridge piers.</p> <p>Amend the definition for "beach recontouring" to include all river bed materials.</p> <p>Amend condition (f) to permit a reasonable amount of recontouring in the flowing channel.</p> <p>Clarify condition (g) that it relates to the depth of excavation, if this is the intention, and increase this cutoff to 1.5 metres.</p> <p>Clarify that temporary stream damming and diversion required for in-stream structure works are included in all relevant rules for structures in a river bed, or provide for temporary damming and diversion as a permitted activity (subject to reasonable conditions).</p>
<p>Rule R120: Minor sand and gravel extraction – permitted activity</p>	<p>Support</p>	<p>The rule specifies how much material can be taken based on the intended purpose of using the material. This is not effects based. Wellington Water has no interest in the fate of the material extracted. Condition (c)(ii) limiting extraction to 50 m<sup>3</sup>/year is adequate for most of our operations.</p>	<p>Retain.</p>

<p>Rule R121: Maintenance of drains – permitted activity</p>		<p>This rule needs to work together with an amended definition of "highly modified river or stream". The current definition is aimed at rural and farming situations and not the urban environment. The definition needs to be applicable to urban stormwater networks that include large numbers of watercourses and open drains. Intake structures are an important part of the system and should be included in the definition. (f) is not workable for real live maintenance, which may require a regrade of a stream bed. It is not clear what "original grade" refers to, for example, in the situation of gravel accumulation behind an existing structure in a highly modified urban stream, what is the original grade? (g) Clarify that aquatic vegetation includes grass and weeds around intake structures. There should be an economic justification for use of a fish friendly digger bucket for all routine permitted maintenance, which includes a quantitative assessment of impacts on fish from such minor routine activities, and the financial impacts on conducting such widespread, routine maintenance activities for three waters regionally significant infrastructure. (h) is feasible. (i) is not practicable - most drains can only be accessed from one side and are so small that fragmented cleaning would be impracticable and inefficient. Most of our drains dry up in the summer months therefore maintenance is generally a planned activity. (k) is not clear why direction of clearance is specified. Downstream vegetation clearance will act as a silt arrestor. (l) is acceptable.</p>	<p>Amend the definition of "highly modified river or stream" to be applicable to urban stormwater networks that include large numbers of watercourses and open drains, including intake structures. As the rule is specifically about drains, it is best to use terminology that drain maintenance contractors are familiar with. (f) Clarify the intention and meaning of "original grade or cross section" and re-word to make it reflect practical work operations. (g) Specify where use of fish friendly digger buckets are necessary. (i) Remove condition. (k) Remove condition.</p>
<p>Rule R122: Removing vegetation – permitted activity</p>	<p>Amend</p>	<p>This rule needs to work together with an amended definition of "highly modified river or stream". The current definition is aimed at rural and farming situations and not the urban environment. The definition needs to be applicable to urban stormwater networks that include large numbers of watercourses and open drains. Intake structures are an important part of the system and should be included in the definition. (h) There should be an economic justification for use of a fish friendly digger bucket for all routine permitted maintenance, which includes a quantitative assessment of impacts on fish from such minor routine activities, and the financial impacts on conducting such widespread, routine maintenance activities for three waters regionally significant infrastructure. (i) is not practicable - most drains can only be accessed from one side and are so small that fragmented cleaning would be impracticable and inefficient. Most of our drains dry up in the summer months therefore maintenance is generally a planned activity.</p>	<p>Amend the definition of "highly modified river or stream" to be applicable to urban stormwater networks that include large numbers of watercourses and open drains, including intake structures. As the rule is specifically about drains, it is best to use terminology that drain maintenance contractors are familiar with. (g) Specify where use of fish friendly digger buckets are necessary. (i) Remove condition.</p>

<p>Rule R127: Reclamation of the beds of rivers or lakes – non-complying activity</p>	<p>This rule does not match the assessment criteria in policy P102 and it is more restrictive than the policy. The rule needs to allow for the planned and anticipated urban growth areas, where some drainage of streams is likely to be necessary in practice. The rule does not recognise the difference in context between the urban and rural environment. The reclamation of the bed, or any part of the bed of a river or lake: associated with the piping of a stream (except those associated with a special housing area); or associated with a growth area or development framework or strategy approved by a local authority under the Local Government Act 2002 or contained within a District Plan) or (b)... Include a new rule with a discretionary activity to manage those activities within urban growth areas, such as: The reclamation of the bed of a river: associated with the piping of a stream; and within a qualifying development within a special housing area; or associated with a growth area or development framework or strategy approved by a local authority under the Local Government Act 2002 or contained within a District Plan. Is a discretionary unrestricted activity. The definition of 'reclamation' is confined to reclamation in the CMA. More clarity is needed about what constitutes reclamation in the beds of lakes and rivers contexts.</p>
<p>Rule R131: Damming or diverting water within or from rivers – discretionary activity</p>	<p>The existing Regional Plan for Freshwater includes Rule 8 "The damming and diversion of water by an existing structure that was existing and lawful on 25 January 1997 is a Permitted Activity". Without this rule a consent will need to be obtained for all existing dams and weirs which is not an efficient use of resources, particularly as all the effects will now be established and well known. Policy P8 (h) and P13 recognises that these structures are beneficial and generally appropriate but there is not a rule that permits the existing structures.</p>
	<p>Match the restrictions in this rule to those in policy P102. Change this rule to (or similar): The reclamation of the bed, or any part of the bed of a river or lake: associated with the piping of a stream (except those associated with a qualifying development within a special housing area); or associated with a growth area or development framework or strategy approved by a local authority under the Local Government Act 2002 or contained within a District Plan) or (b)... Add a new rule similar to: The reclamation of the bed of a river: associated with the piping of a stream; and within a qualifying development within a special housing area; or associated with a growth area or development framework or strategy approved by a local authority under the Local Government Act 2002 or contained within a District Plan is a discretionary unrestricted activity. Amend the definition of reclamation to clarify its meaning in relation to: "The damming and diversion of water by a structure that was existing and lawful on the date the proposed Plan was publicly notified is a permitted activity."</p>

**Rules - Water allocation**

**My submission on 11 Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rule R139: Pumping test – permitted activity	Support	
Rule R140: Dewatering – permitted activity	Amend	<p>Condition (a) restricts site excavation dewatering to a maximum of one month. Operations such as regionally significant infrastructure establishment and maintenance will frequently require dewatering for a longer period than one month. This should be extended to 6 months, particularly if the effects are contained within the work site. The intention is not to frustrate normal operations for three waters regionally significant infrastructure. It is difficult to trace the rationale through the Plan, other than avoiding land subsidence and impacts on wetlands and associated features and resources such as mahinga kai. No specific issues have been raised. Dewatering a site has less than minor impact if the rule conditions are met.</p> <p>Create a special category of permitted activity for regionally significant infrastructure, or have consents trigger to controlled activity status. Amend (a) so that the work does not exceed 6 months.</p>
Rule R141: Take and use of water not permitted – controlled activity	Amend	<p>Clarify whether “(b) ...shall not exceed 20m<sup>3</sup>...” should be “(b) ...shall not exceed 20m<sup>3</sup>/day...”? Amend if (b) is an error, otherwise clarify intended maximum rates.</p>
Rule R142: All other take and use – discretionary activity	Support	
Rule R143: Temporary water permit transfers – controlled activity	Support	
Rule R144: Transferring water permits – restricted discretionary activity	Support	

Rule R145: Transferring water permits – discretionary activity	Support	
Rule R146: Geotechnical investigation bores – permitted activity	Amend	<p>A provision to protect the integrity of any artesian aquifer capping layers is necessary. Geotechnical investigation bores that do not penetrate an aquifer confining layer could be a permitted activity anywhere subject to the stated conditions. To protect the Waiwhetu aquifer water resource rule R146 should include the condition that the bore is not located within the Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson) shown on Map 30. Geotechnical investigation bores should be discretionary if the aquiclude of the Waiwhetu aquifer is penetrated anywhere in the Lower Hutt Groundwater Zone or Wellington harbour.</p> <p>"Aquiclude" should be defined in the Interpretation chapter. Damage to the aquiclude could result in aquifer leakage and/or contamination. Map 27b does not take into account abstraction from the Gear Island Water Treatment Plant for public supply. The groundwater protection zone must extend from Taia through to the Petone foreshore and span the width of the Hutt Valley.</p>
Rule R147: Drilling, construction or alteration of any bore – controlled activity	Amend	<p>A provision to protect the integrity of any artesian aquifer capping layers is necessary. There is no requirement for double casing of bores that penetrate the Waiwhetu aquiclude in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. A new point (c) in Rule R147 should be inserted similar to Rule R146 (a) to protect the community drinking water supply area. Map 27b does not take into account abstraction from the Gear Island Water Treatment Plant for public supply. The groundwater protection zone must extend from Taia through to the Petone foreshore and span the width of the Hutt Valley.</p>

Add (e) "the integrity of any artesian aquifer capping layer is protected" or similar. Amend Map 27b to include the entire Hutt Valley from Taia to the Petone foreshore. Also exclude geotechnical investigation bores in the Wellington harbour (Map 30) from being a permitted activity. Include in rule R146 the condition that the bore is not located within the Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson) shown on Map 30. Include new definition of Aquiclude similar to "Aquiclude is a geological formation or stratum that confines water in an adjacent aquifer" in the Interpretation chapter.

Add new condition "the integrity of any artesian aquifer capping layer is protected" or similar. Require double casing of bores that penetrate the Waiwhetu aquiclude in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. Amend Map 27b to include the entire Hutt Valley from Taia to the Petone foreshore. Exclude geotechnical investigation bores in the Wellington harbour (Map 30) from being a permitted activity. Insert new point (c) similar to Rule R146 (a) to protect the community drinking water supply area.

Rule R148: Drilling, construction or alteration of any bore – discretionary activity	
	Amend

The construction / driving of piles or other structures (that is not a bore) or excavation that penetrates into or through the Waiwhetu aquiclude is not included in this rule. Piles are not included in the definition of bore. It appears there are no controls to prevent damage to the aquiclude caused by the driving of piles or a deep excavation. This includes anywhere in the Hutt valley and Wellington harbour (e.g. wharf piers). Damage to the aquiclude may result in aquifer leakage and/or contamination.

Require consent for any work that has the potential to disturb the Waiwhetu aquiclude, which considers potential damage to the aquiclude resulting in aquifer leakage and/or contamination.





**Rules - Coastal management**

**Submission on this provision**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Coastal management general conditions	Amend	<p>Conditions (k) and (l) - Stormwater flap gates protect backflow in high tides and may conflict with maintaining fish passage at this time. Clarify condition (m) for what type of structures are included. Wellington Water have active management systems to clear debris from our structures, mainly stormwater outfalls.</p>	<p>Clarify the applicability of these general conditions to the functioning and benefits of stormwater flap gates and three waters regionally significant infrastructure generally. Clarify condition (m) applies to stormwater outfalls or what type of structures are included.</p>
Rule R150: Minor additions or alterations to structures – permitted activity	Amend	<p>In condition (k), there is a practical necessity to widen or deepen a channel for stormwater pipes.</p>	<p>Amend condition (k) to allow for minimum excavation required for suitable bedding of the stormwater pipe, or to like effect.</p>
Rule R182: Occupation of space by a structure owned by a network utility operator – permitted activity	Support		
Rule R189: Clearance of stormwater pipes – permitted activity	Support		
Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity	Support	<p>Supports regionally significant infrastructure activities.</p>	



Other methods

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Method M4: Sea level rise	Amend	Sea level rise – The correct title for the “International Panel of Climate Change” is “Intergovernmental Panel on Climate Change”	Change “International Panel of Climate Change” to read “Intergovernmental Panel on Climate Change”
Method M11: Assessment and reporting of Wellington Regional Council works, operations and services for integrated catchment management	Amend	Clarify whether this includes GWRC assets such as bulk water supply, now managed by Wellington Water.	Clarify whether this provision applies to GWRC water supply operations, now managed by Wellington Water, and if so, what activities would have to be reported on.
Method M14: Maintenance of drains	Support	Wellington Water looks forward to collaborating with GWRC on this method.	Retain.
Method M15: Regional stormwater working group	Support	Wellington Water looks forward to collaborating with GWRC on this method.	Retain.
Method M17: Reduce waste and use water and energy efficiently	Support	It is good that specific methods to deliver this Method are not prescribed which allows for flexibility to suit differing circumstances.	Retain.
Method M18: Water use groups	Support		
Methods 19: Water management	Support	Wellington Water looks forward to collaborating with GWRC on this method.	Retain.
Method M21: Fish passage	Support		
Method M27: Improving water quality in priority water bodies	Support	Wellington Water looks forward to collaborating with GWRC on this method.	Retain.
Method M28: Development of good management practice guidelines.	Support		



**Wellington Harbour and Hutt Valley Whatitua mission on this pro**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

<p>Rule WH.R1: Take and use of water in the Wellington Harbour and Hutt Valley Whatitua - restricted discretionary activity</p>	<p>Table 8.1 The management point for the Orongorongo River is incorrectly named.                  Table 8.1 The minimum flow below the Kaioko water supply intake should be able to be reduced to 400 L/s as consented for special circumstances such when lining the Macaskill Lakes. Table 8.2. The allocation amount for the Wainuiomata River and the allocation amount for the Orongorongo River are significantly less than the current consented abstraction from these rivers for community water supply. The abstraction flow is controlled to maintain the minimum flows in the rivers specified in Table 8.1. The minimum flow protects the river biota. The allocation amounts specified are default based without specific assessment of environmental effects of the water take on these rivers. There is no evidence of the existing takes having a detrimental impact on the biota of the rivers.                  The allocation amount for each of the Wainuiomata and the Orongorongo Rivers should be increased to 460 L/s (the current consented takes for these rivers under normal operating conditions).</p>
<p>Rule WH.R2: Taking and using water in the Wellington Harbour and Hutt Valley Whatitua - discretionary activity</p>	<p>Table 8.1 Replace "Russ Bridge recorder" with "Truss Bridge recorder". Table 8.1 The minimum flow below the Kaioko water supply intake should be able to be reduced to 400 L/s for special circumstances. In Table 8.2 increase the allocation amount for each of the Wainuiomata and the Orongorongo Rivers to 460 L/s</p>
<p>Rule WH.R3: Take and use of water from outstanding rivers and lakes -non-complying activity</p>	<p>Support</p>

<p>Rule WH.R4: Take and use of water that exceeds minimum flows, lake levels or core allocation - prohibited activity</p>	
<p>Policy WH.P1: Minimum flows and water levels in the Wellington Harbour and Hutt Valley Whatua</p>	<p>Support</p>

Suggest new footnote to Table 8.2 or text as follows: "For insert new footnote or text to Table 8.2 to give the effect some parts of some rivers current allocations may exceed of "For some parts of some rivers current allocations may the default values shown in Table 8.2. This apparent over exceed the default values shown in Table 8.2. This allocation does not necessarily mean that the river apparent over-allocation does not necessarily mean that ecological values or any other values are compromised or the river ecological values or any other values are under threat. Rather, it indicates that the reach is likely compromised or under threat. Rather, it indicates that to be fully allocated and that the effects of any the reach is likely to be fully allocated and that the effects of any applications for new consents or consent renewals effects of any applications for new consents or consent should be carefully evaluated." Table 8.2 The allocation renewals should be carefully evaluated." Increase the amount for Wainuiomata and Orongorongo rivers is less allocation amounts to match Wellington Water current than Wellington Water consented takes.

Figure 8.2. The depth of Category A should be consents. In Figure 8.2. change the depth of Category A conservative to ensure allocation can not draw from the to 10m depth instead of 15m.

Waioheta aquifer. Suggest we work to the top of the aquiclude rather than the bottom. Suggest 10m instead of 15m.

<p>Policy WH.P2: Core allocation in the Wellington Harbour and Hutt Valley Whatua</p>	<p>Amend</p>

The policy relies heavily on Table 8.2 being correct. Table 8.2. The allocation amount for the Wainuiomata River and the allocation amount for the Orongorongo River are significantly less than the current consented abstraction from these rivers for community water supply. The abstraction flow is controlled to maintain the minimum flows in the rivers specified in Table 8.1. The minimum flow protects the river biota. The allocation amounts specified are default based without specific assessment of environmental effects of the water take on these rivers. There is no evidence of the existing takes having a detrimental impact on the biota of the rivers.

The allocation amount for each of the Wainuiomata and the Orongorongo Rivers should be increased to 460 L/s (the current consented takes for these rivers under normal operating conditions).

Correct the allocation amounts in Table 8.2 to 460 litres/sec for the Wainuiomata River and also for the Orongorongo River.





**Schedules**

**Revision on this pr**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Schedule A: Outstanding water bodies	Amend	The intake structure at Kaitoke is generally referred to as a weir, not a dam, because it does not store water. Neither of these terms are included in the Interpretation.	Change Kaitoke dam to Kaitoke weir.
Schedule F: Ecosystems and habitats with significant indigenous biodiversity values	Amend	<p>Schedule F1: The criteria listed for identifying rivers and lakes with significant indigenous ecosystems appear to be quite different to the criteria listed in Policy 23 of the Regional Policy Statement. The map references do not correspond to the map grid used by the GWRC GIS, which is rather confusing. Schedule F1a: Plotting the migration times of the twelve species reputed to be in the Hutt River shows that at no time during the year are there less than four species migrating. This makes the requirement of Policy P33 very onerous. See previous comments on policy P33: "This is a very strongly worded policy. By requiring "avoidance" of water takes that lead to a "significant loss of flow" it effectively precludes the taking of any significant quantity of water from most of the water bodies in the region. Overlaying the migration times for the species noted as being present in the Hutt River shows that for any month of the year there are at least four migrating species, i.e. migration occurs all year round. (c) requires a time element to it. Does it mean permanent significant loss of flow? It is not clear what happens if necessary works to protect regionally significant infrastructure impede fish passage for the period of works which might be 2 hours or maybe 3 days (but not usually longer)? There is confusion in the wording of this policy. It says that adverse effects must be avoided, and then lists activities rather than effects ". It would be easier if the names were in alphabetical order. Some of the waterbodies listed are in the urban environment, and some parts of them are piped. This should be recognised, in order to allow for normal maintenance, operation and upgrade of that regionally significant infrastructure.</p>	<p>Schedule F1: Change criteria to be consistent with and give effect to those in Policy 23 of the Regional Policy Statement. Change reference coordinates to NZTM datum. Schedule F1a: See comments under P33: "In the fifth line replace "avoided" with "reduced to a practical minimum". Include a practical time element into (c);" Rearrange fish names in alphabetical order. Identify those waterbodies that have piped sections and provide for the normal maintenance, operation and upgrade of that regionally significant infrastructure.</p>
Schedule I: Important trout fishery rivers and spawning waters	Amend	Hutt River - Whakatikei Stream - Plateau Stream Plateau Stream is not shown on the map in this catchment.	Delete Plateau Stream
Schedule M: Community drinking water supply abstraction points	Amend	Schedule M1: It would be useful to locate these sites more accurately, perhaps using coordinates. GWRC, Little Huia Creek is not included in Schedule M1	Add coordinates to Schedule M1. Include Little Huia Creek in schedule M1.

Schedule M: Community drinking water supply abstraction points	Amend	Schedule M2: It would be useful to locate these sites more accurately, perhaps using coordinates. R27/1144-1149 appear to be the Hutt Park Wells	Add coordinates to Schedule M2. Confirm or correct the WRC Well numbers.
Schedule N: Stormwater management strategy	Amend	<p>This strategy appears to be an assessment of the network's asset management. The components of the strategy should be confined to those elements that the network managers are in control of. We suggest a modified schedule based on a risk management approach that aligns with the asset management systems. This would fit the same outcomes, and not create unnecessary duplication of effort. Asset management is not a RMA function of Regional Council, so the schedule should re-written to exclude those elements. Considerable asset management information is currently available and could be made use of. However, there is always uncertainty in any such data, yet the schedule suggests an ability to provide complete knowledge. This is not required to manage the effects of the discharges. Network operators do not control HALL (Hazardous Activities and Industries List) activities. Stormwater discharges from contaminated land are subject to their own consents and are not controlled by the network operator. Generally, district plans do not require a resource consent to increase impervious surfaces (such as concreting drives or placing hard landscaping), so they are not "managed". We point out that the city councils have undertaken or are embarking on various activities ranging from stormwater plan to stormwater bylaw to district plan changes for water sensitive urban design, driven by councils' own policies and drivers under the Local Government Act. RMA regulatory provisions are not required to make those non-RMA actions happen.</p>	<p>Schedule N should be restructured to take a risk management approach that aligns with the asset management systems used to manage the stormwater networks. Wellington Water is in the process of developing such an alternative schedule and we are keen to work with GWRC to finalise it. The schedule should exclude elements of asset management and focus on providing limits and outcomes to be met. It should only include elements that network managers have in their control.</p>

**Schedule Q: Reasonable and efficient use criteria**

	Amend

Community water supplies (a): It is unclear what purpose the information required under group or community supplies is to be used for. Many towns and cities do not have universal metering, and sectorial use can only be estimated. The relative water use by different sectors may vary markedly between communities. While many TAs meter commercial and industrial use, they typically do not hold records that associate land use with water use. Currently, useful information on the different sectors is not recorded in an easily available way and varies significantly within sectors. The need to specifically identify use by such categories as "other facilities providing medical treatment" (implying all), "marae", and "other educational facilities (implying all)" is unclear, as many of these may be no more significant in their water use than an individual household. The purpose for the information required in (a) should be clearer, while the approach to sector information to be taken by the applicant to demonstrate reasonable demand for a group or community should remain a requirement, but be less prescriptive. We suggest deleting reference to specific sectors.

Clarify the purpose and use for information sought via (a). Make the approach to sector information to be taken by the applicant to demonstrating reasonable demand for a group or community less prescriptive, by removing reference to specific sectors. End Group or community water supplies (a) at "...the sectors in the group or community that will use the water." Delete the words following that "and the relative amounts that will be provided to each sector. Sectors in the community using water include:" and all the following 6 bullet points.







Proposed Natural Resources Plan:

Submitter:

**Regional Public Health**

Submitter Number:

**S136**

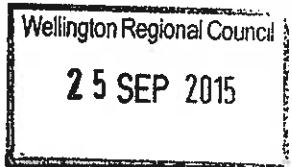






25 September 2015

Greater Wellington Regional Council  
PO Box 11646  
Manners Street  
Wellington 6142  
regionalplan@gw.govt.nz



**Re: Proposed Natural Resources Plan**

Thank you for the opportunity to provide a written submission on this consultation document.

Regional Public Health serves the greater Wellington region, through its three district health boards (DHBs): Capital and Coast, Hutt Valley and Wairarapa and as a service is part of the Hutt Valley District Health Board.

We work with our community to make it a healthier safer place to live. We promote good health, prevent disease, and improve the quality of life for our population, with a particular focus on children, Māori and working with primary care organisations. Our staff includes a range of occupations such as: medical officers of health, public health advisors, health protection officers, public health nurses, and public health analysts.

The reason for this submission is to ensure that the public health risks associated with the Regional Plan objectives, policies and rules are considered. The Ministry of Health requires us to reduce potential health risks by various means, which includes making submissions on resource management matters.

We are happy to provide further advice or clarification on any of the points raised in our written submission. We request to be heard in support of our written submission. The contact point for this submission is:

Campbell Gillam  
Health Protection Officer  
Email: [Campbell.Gillam@wairarapa.dhb.org.nz](mailto:Campbell.Gillam@wairarapa.dhb.org.nz)  
Tel: 06 377 9111

Kind regards

A handwritten signature in black ink, appearing to read 'Jill McKenzie'.

Dr Jill McKenzie  
**Medical Officer of Health**



## Submission on the Proposed Natural Resources Plan for the Wellington Region

### INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz



#### Your details:

Full name: Dr Jill McKenzie  
Company name: Regional Public Health  
Address1: Private Bag 31907  
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Address3:  
Address4:  
Town: Lower Hutt  
Postcode: 5040  
Telephone Work: 06 377 9134  
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Email address: [Campbell.jilliam@wairarapa.dhb.org.nz](mailto:Campbell.jilliam@wairarapa.dhb.org.nz)

#### Trade competition

Yes /we could not gain an advantage in trade competition through this submission

No /we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

#### Attendance and wish to be heard at hearing(s)

Yes /we do wish to be heard in support of my/our submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

No /we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

No if other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 25/09/2015



**Introduction**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

1.1 Overview of the Wellington Region	Support	
1.2 Mahitahi - a work in partnership	Support	
1.3 Guiding principles of Te Upoko Taiao	Support	
1.4 Integrated catchment management	Support	
1.5 Factors shaping this Plan	Support	
1.5.1 Statutory framework	Support	









**Objectives**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Objective O1: Ki uta ki tai	Support	
Objective O2: Importance of land and water	Support	
Objective O3: Mauri	Support	
Objective O4: Intrinsic values	Support	
Objective O5: Fresh and coastal water	Support	
Objective O6: Health needs of people	Support	
Objective O7: Water for livestock	Support	
Objective O8: Allocation regime	Support	
Objective O9: Recreational values	Support	
Objective O10: Public access	Support	
Objective O11: Māori customary use	Support	

Objective O12: Benefits of regionally significant infrastructure	Support
Objective O13: Protecting regionally significant infrastructure	Support
Objective O14: Māori relationships	Support
Objective O15: Kaihakitanga	Support
Objective O16: Ngā Taonga Nui a Kiwa	Support
Objective O17: Natural character	Support
Objective O18: Low energy receiving environments	Support
Objective O19: Natural processes	Support
Objective O20: Risk from natural hazards	Support
Objective O21: High hazard areas	Support
Objective O22: Hard engineering	Support
Objective O23: Maintain or improve water quality	Support

Objective O24: Contact recreation and Māori customary use			<p>The level of Planktonic cyanobacteria for primary contact is sufficiently high to be associated with potential health risk. The level quoted should be at a minimum below the Action (red mode) found in the New Zealand Guidelines for Cyanobacteria in Recreational Freshwaters - Interim Guidelines. These should be amended to a minimum of the Alert (amber mode) if the levels of Surveillance (green mode) are not practicable as a bottom line (i.e. The cell concentration of total cyanobacteria does not exceed 500 cells/mL or biovolume equivalent for the combined total of all cyanobacteria does not exceed 0.5 mm<sup>3</sup>/L). Likewise for secondary contact the level should be below the level for Action (red mode).</p>
Objective O25: Aquatic ecosystem health and mahinga kai		Support	
Objective O26: Mahinga kai		Support	
Objective O27: Riparian margins		Support	
Objective O28: Extent of wetlands		Support	
Objective O29: Fish passage		Support	
Objective O30: Trout		Support	
Objective O31: Outstanding water bodies		Support	
Objective O32: Outstanding natural features and landscapes		Support	
Objective O33: Significant mana whenua values		Support	
Objective O34: Significant historic heritage values		Support	
Objective O35: Significant indigenous biodiversity values		Support	
Objective O36: Significant geological features		Support	
Objective O37: Significant surf breaks		Support	
Objective O38: Special amenity/landscapes		Support	
Objective O39: Ambient air quality		Support	
Objective O40: Adverse air quality		Support	
Objective O41: Nuisance discharges to air		Support	
Objective O42: Soil health and erosion		Support	
Objective O43: Contaminated land		Support	



Policies	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Policy P1: Ki uta ki tai and integrated catchment management	Support		
Policy P2: Cross-boundary matters	Support		
Policy P3: Precautionary approach	Support		
Policy P4: Minimising adverse effects	Support		
Policy P5: Review of existing consents	Support		
Policy P6: Synchronised expiry and review dates	Support		
Policy P7: Uses of land and water	Support		
Policy P8: Beneficial activities	Support		
Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers	Support		

Policy P10: Contact recreation and Māori customary use	Support
Policy P11: In-stream water storage	Support
Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities	Support
Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities	Support
Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities	Support
Policy P15: Flood protection activities	Support
Policy P16: New flood protection and erosion control	Support
Policy P17: Mauri	Support
Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa	Support
Policy P19: Māori values	Support
Policy P20: Exercise of kaitiakitanga	Support
Policy P21: Statutory acknowledgements	Support
Policy P22: Ecosystem values of estuaries	Support
Policy P23: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson), and Lake Wairarapa	Support

Policy P24: Outstanding natural character	Support
Policy P25: Natural character	Support
Policy P26: Natural processes	Support
Policy P27: High hazard areas	Support
Policy P28: Hazard mitigation measures	Support
Policy P29: Climate change	Support
Policy P30: Natural buffers	Support
Policy P31: Aquatic ecosystem health and mahinga kai	Support
Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai	Support
Policy P33: Protecting indigenous fish habitat	Support
Policy P34: Fish passage	Support
Policy P35: Restoring fish passage	Support
Policy P36: Effects on indigenous bird habitat	Support
Policy P37: Values of wetlands	Support
Policy P38: Restoration of wetlands	Support
Policy P39: Adverse effects on outstanding water bodies	Support
Policy P40: Ecosystems and habitats with significant indigenous biodiversity values	Support
Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values	Support
Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values	Support
Policy P43: Restoration and management plans	Support
Policy P44: Protection and restoration of sites with significant mana whenua values	Support
Policy P45: Managing adverse effects on sites with significant mana whenua values	Support
Policy P46: Managing adverse effects on sites with significant historic heritage value	Support
Policy P47: Appropriate demolition	Support
Policy P48: Protection of outstanding natural features and landscapes	Support
Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes	Support
Policy P50: Significant geological features	Support
Policy P51: Significant surf breaks	Support



Policy P52: Managing ambient air quality	Support
Policy P53: Domestic fires	Support
Policy P54: Open fires	Support
Policy P55: Managing air amenity	Support
Policy P56: Outdoor burning	Support
Policy P57: Burning of specified materials	Support
Policy P58: Industrial discharges	Support
Policy P59: Industrial point source discharges	Support
Policy P60: Agrichemicals and fumigants	Support
Policy P61: National Environmental Standard for Air Quality	Support
Policy P62: Promoting discharges to land	Support
Policy P63: Improving water quality for contact recreation and Māori customary use	Support
Policy P64: Mixing waters	Support
Policy P65: Minimising effects of nutrient discharges	Support
Policy P66: National Policy Statement for Freshwater Management: requirements for discharge consents	Support
Policy P67: Minimising effects of discharges	Support
Policy P68: Inappropriate discharges to water	Support
Policy P69: Human drinking water supplies	Support
Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai	Support
Policy P71: Quality of discharges	Support
Policy P72: Zone of reasonable mixing	Support
Policy P73: Minimising adverse effects of stormwater discharges	Support
Policy P74: First-stage local authority network consents	Support
Policy P75: Second-stage local authority network consents	Support
Policy P76: Minimising wastewater and stormwater interactions	Support
Policy P77: Assessing resource consents to discharge stormwater containing wastewater	Support
Policy P78: Managing stormwater from large sites	Support

Policy P79: Managing land use impacts on stormwater	Support
Policy P80: Replacing wastewater discharge consents	Support
Policy P83: Avoiding new wastewater discharges to fresh water	Support
Policy P84: On-site domestic wastewater management	Amend
Policy P85: Biosolids and treated wastewater to land	Support
Policy P86: Discharge of wastewater from vessels	Support
Policy P87: Minimising adverse effects of wastewater discharges from vessels and offshore installations	Support
Policy P80: Replacing wastewater discharge consents	Support
Policy P82: Mana whenua values and wastewater discharges	Support
Policy P88: Bio foul cleaning	Support
Policy P89: Discharges from contaminated land	Support
Policy P90: Discharges of hazardous substances	Support
Policy P90: Discharges of hazardous substances	Support
Policy P92: Discharges from hydraulic fracturing	Support
Policy P91: Landfills	Support
Policy P93: Disposal of hydraulic fracturing chemicals or materials	Support
Policy P94: Discharge of collected animal effluent	Support
Policy P95: Discharges to land	Support
Policy P96: Managing land use	Support
Policy P97: Managing sediment discharges	Support
Policy P98: Accelerated soil erosion	Support
Policy P99: Livestock access to surface water bodies	Support
Policy P100: Riparian margins for cultivation and break-feeding	Support

Regional Public Health believes that this policy should reflect that discharge to land of contaminants should be avoided when alternatives of lower public health risk are available.

That the policy wording be amended to add "New on-site domestic wastewater systems shall be avoided in areas where a reticulated sewer connection is available."

Policy P101: Management of riparian margins	Support
Policy P102: Reclamation or drainage of the beds of lakes and rivers	Support
Policy P103: Management of gravel extraction	Support
Policy P104: Effects on catchment-based flood and erosion control activities	Support
Policy P105: Protecting trout habitat	Support
Policy P106: Management of plants in the beds of lakes and rivers	Support
Policy P107: The framework for taking and using water	Support
Policy P108: Integrating groundwater and surface water	Support
Policy P110: National Policy Statement for Freshwater Management requirements for water takes, damming and diversion	Support
Policy P111: Water takes at minimum flows and water levels	Support
Policy P113: Core allocation for rivers	Support
Policy P112: Priorities in drought and serious water shortage	Support
Policy P113: Core allocation for rivers	Support
Policy P114: Priorities when demand exceeds supply	Support
Policy P115: Authorising takes below minimum flows and lake levels	Support
Policy P116: Reallocating water	Support
Policy P117: Supplementary allocation amounts at flows above the median flow	Support
Policy P118: Reasonable and efficient use	Support
Policy P119: Unused water	Support
Policy P120: Taking water for storage	Support
Policy P121: Preventing salt water intrusion	Support
Policy P122: Flow variability	Support
Policy P123: Direct, cumulative adverse effects	Support
Policy P124: Surface water intakes	Support
Policy P126: Site dewatering	Support
Policy P127: Backflow of contaminants	Support
Policy P128: Transfer of resource consents	Support
Policy P129: Minimum flows and water levels	Support

Policy P130: Bores	Support
Policy P131: Bores no longer required	Support
Policy P132: Functional need and efficient use	Support
Policy P133: Recreational values	Support
Policy P134: Public open space values and visual amenity	Support
Policy P135: Safe passage	Support
Policy P136: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	Support
Policy P137: Airport height restriction areas	Support
Policy P138: Structures in sites with significant values	Support
Policy P139: Seawalls	Support
Policy P140: Boatshed Management Areas	Support
Policy P141: Boatsheds	Support
Policy P142: Lambton Harbour Area	Support
Policy P143: Deposition in a site of significance	Support
Policy P144: Dumping in a site with significant values	Support
Policy P145: Reclamation, drainage and destruction	Support
Policy P146: Introduction of pest plants	Support
Policy P147: Motor vehicles on the foreshore	Support
Policy P148: Motor vehicles in sites with significant value	Support
Policy P149: Protection of the Tīrahi Bay fossil forest	Support
Policy P150: Noise and lighting	Support



Rules - Air quality	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R1: Outdoor burning – permitted activity	Support		
Rule R2: Frost prevention devices – permitted activity	Support		
Rule R3: Outdoor burning for firefighter training – permitted activity	Support		
Rule R4: Pyrotechnics – permitted activity	Support		
Rule R5: Outdoor burning of specified materials – prohibited activity	Support		
Rule R6: Fuels prohibited in domestic fires – prohibited activity	Support		
Rule R7: Natural gas and liquefied petroleum gas – permitted activity	Support		
Rule R8: Diesel or kerosene – permitted activity	Support		
Rule R9: Biogas – permitted activity	Support		
Rule R10: Untreated wood – permitted activity	Support		
Rule R11: Coal, light fuel oil, and petroleum distillates – permitted activity	Support		
Rule R12: Emergency power generators – permitted activity	Support		

Rule R13: Fuels not permitted in large scale generators – non-complying activity	Support
Rule R14: Spray coating within an enclosed space – permitted activity	Amend
Rule R15: Spray coating not within an enclosed space – permitted activity	Amend
Rule R16: Printing processes – permitted activity	Support
Rule R17: Dry cleaning – permitted activity	Support
Rule R18: Fume cupboards – permitted activity	Support
Rule R19: Workplace ventilation – permitted activity	Support
Rule R20: Mechanical processing of metals – permitted activity	Support
Rule R21: Thermal metal spraying – permitted activity	Support
Rule R22: Metallurgical or chemical processing of metal – discretionary activity	Support
Rule R23: Crematoria – discretionary activity	Support
Rule R24: Flaring of gas – discretionary activity	Support

Regional Public Health supports the intention of this rule however we believe that surface coatings such as iso-cyanates should have an exclusion distance to sensitive receiving activities or areas.

That the proposed rule wording is amended by the addition of a further clause "(g) That the emission is 20 meters from a sensitive activity or sensitive area."

Regional Public Health supports the intention of this rule however we believe that surface coatings such as iso-cyanates should have an exclusion distance to sensitive receiving activity or areas. We have had to manage health concerns with spray painting premises impacting on nearby residences and early childhood centres in the past.

That the wording of proposed rule (c) is amended to read: "The discharge shall be located at least 20 meters from a sensitive activity or sensitive areas."

Rule R25: Abrasive blasting within an enclosed booth – permitted activity	Support
Rule R26: Abrasive blasting outside an enclosed area – permitted activity	Support
Rule R27: Handling of aggregate – permitted activity	Support
Rule R28: Cement storage – permitted activity	Support
Rule R29: Alcoholic beverage production – permitted activity	Support
Rule R31: Food, animal or plant matter manufacturing and processing – discretionary activity	Support
Rule R32: Petroleum storage or transfer facilities – permitted activity	Support
Rule R33: Mobile source emissions – permitted activity	Support
Rule R34: Gas, water and wastewater – permitted activity	Support
Rule R35: Drying and heating of minerals – permitted activity	Support
Rule R36: Agrichemicals – permitted activity	Support
Rule R37: Agrichemicals into water – permitted activity	Amend
Rule R38: Agrichemicals not permitted – discretionary activity	Support
Rule R39: Fumigation – permitted activity	Support

Regional Public Health believes that aligning the notification period for both community drinking water protection area abstraction permit holders and others is appropriate.

That Rule 37 (f) be amended to delete the words 12 hours and insert the words one week.



Rule R40: Discharge of other fumigants – controlled activity	Amend
Rule R41: All other discharges – discretionary activity	Support

believes that the rule should reflect the 2010 Environmental Risk Management Authority Decision Methyl Bromide Reassessment.

of a new item 3 to Matters of Control "In the case of application for use of methyl bromide the extent of re-capture technology."

**Rules - Discharges to water**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rule R42: Minor discharges – permitted activity	Support		
Rule R43: Water to water – permitted activity	Support		
Rule R44: Pool and spa pool water – permitted activity	Support		
Rule R45: Potable water – permitted activity	Support		
Rule R46: Dye or salt tracer – permitted activity	Support		
Rule R48: Stormwater from an individual property – permitted activity	Support		
Rule R49: Stormwater to land – permitted activity	Support		
Rule R50: Stormwater from a local authority network at plan notification – controlled activity	Support		
Rule R51: Stormwater from a local authority network two years after public notification – restricted discretionary activity	Support		
Rule R52: Stormwater from large sites – restricted discretionary activity	Support		
Rule R53: All other stormwater – discretionary activity	Support		
Rule R54: Site investigation – permitted activity	Support		

Regional Public Health supports the proposed rule but suggests that wording be altered to clarify the intent.

That the proposed rule (b) (i) be amended to read "the concentration of contaminants in groundwater meets the Drinking Water Standards New Zealand 2005 (Revised 2008)"

Rule R55: Discharges from contaminated land – permitted activity	Amend
Rule R56: Discharges from contaminated land – discretionary activity	Support
Rule R57: Discharge of hazardous substances – non-complying activity	Support
Rule R58: Water races – discretionary activity	Support
Rule R59: Existing pumped drainage schemes	Support
Rule R60: All other pumped drainage schemes – discretionary activity	Support
Rule R61: Existing wastewater – discretionary activity	Support
Rule R62: New wastewater to fresh water – non-complying activity	Support
Rule R63: Wastewater from ships and offshore installations – permitted activity	Support
Rule R64: Wastewater from ships and offshore installations – non-complying activity	Support
Rule R65: In-water biofoul cleaning – permitted activity	Support
Rule R66: In-water biofoul cleaning – discretionary activity	Support
Rule R67: Discharges inside sites of significance – non-complying activity	Support
Rule R68: All other discharges – discretionary activity	Support

Rules - Discharges to land	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Rule R69: Minor contaminants – permitted activity	Support		
Rule R70: Cleanfill material – permitted activity	Support		
Rule R71: Pit latrine – permitted activity	Support		
Rule R72: Composting toilets – permitted activity	Amend	Composted toilet waste should not be applied to human or animal food crops.	That Rule 72 is amended by adding a note after clause (d) "Permission may be required from the relevant authority in respect of the discharge under other legislation or bylaws."
Rule R73: Greywater – permitted activity	Amend	Untreated greywater can present a potential public health risk for contamination of drinking water sources.	That clause (c) wording is amended to state that the discharge is not located within "20 meters of a surface water body, coastal marine area, gully, or a minimum of 20 meters of a bore used for water extraction for potable supply as determined by a site risk assessment". That clause (b) is amended to "the application rate of greywater shall not exceed a maximum daily volume of 2,000 litres and is site appropriate, and"
Rule R74: Existing on-site wastewater systems – permitted activity	Support		
Rule R75: New or upgraded on-site wastewater systems – permitted activity	Amend	Regional Public Health supports the intent of the proposed rule. We believe however that as with Rule 71 that a new on-site wastewater system shall only be a permitted activity where a sewer connection is unavailable. Regional Public Health are also concerned regarding the protection of drinking water supplies that are outside of a community drinking water supply protection area.	That the wording of the proposed rule is amended to insert a new clause "(f) in the case of a new system, where a sewer connection is available". That the wording of the proposed rule clause (e)(i) is amended to "20 meters of a surface water body, coastal marine area, gully, or a minimum of 20 meters of a bore used for water abstraction for potable supply as determined by a site risk assessment, or"

Rule R76: New or upgraded on-site wastewater systems within community drinking water supply protection areas – controlled activity		Amend	Regional Public Health supports the intent of the proposed rule. We believe however that as with Rule 71 that a new on-site wastewater system shall only be a permitted activity where a sewer connection is unavailable.	That the wording of the proposed rule is amended to insert a new section "(l) where a sewer connection is unavailable".
Rule R77: Application of Aa biosolids to land – permitted activity		Amend	Regional Public Health believes that the determination of adequate buffer zones between discharge activities and drinking water abstraction bores needs to be site specific and the subject of an individual risk assessment (as per Policy 69). Regional Public Health believes that a 20 meter buffer should be considered as a minimum only when risk is assessed as low.	That clause (d) wording is amended to state that the discharge "is not located within 20 meters of a surface water body, coastal marine area, gully, or a minimum of 20 meters of a bore used for water extraction for a potable supply as determined by a site risk assessment".
Rule R78: Application of biosolids (Ab, Ba, or Bb) to land – restricted discretionary activity		Amend	Regional Public Health believes that the long term application of biosolids to land needs to consider the future potential effects of emerging contaminants.	That the rule is amended by adding a new clause 10 Matters for discretion: "Measures for monitoring emerging contaminants".
Rule R79: Discharge of treated wastewater – controlled activity		Support		
Rule R80: Discharge of treated wastewater – restricted discretionary activity		Support		
Rule R81: Drinking water treatment plant supernatant waste – controlled activity		Amend	Regional Public Health believes that the determination of adequate buffer zones between discharge activities and drinking water abstraction bores needs to be site specific and the subject of an individual risk assessment. Regional Public Health believes however that a 20 meter buffer should be considered as a minimum.	That the rule be amended to read "(a) the discharge is not located within 20 meters of a surface water body, the coastal marine area, gully, or a minimum of 20 meters of a bore used for water abstraction for potable supply as determined by a site risk assessment, and"
Rule R82: Application of fertiliser from ground-based or aerial application – permitted activity		Amend	High nitrate levels in ground water can have adverse effects on human health through consumption of contaminated drinking water supplies. The definition of elevated groundwater nitrate levels should reflect the New Zealand Drinking Water Standards 2005 (Revised 2008).	That the wording of proposed rule be amended by inclusion of a new clause "(d) the discharge is not to an area with existing elevated groundwater nitrate levels."

Rule R83: Discharge of collected animal effluent onto or into land – controlled activity	Amend
Rule R84: Discharge of collected animal effluent to water – non complying activity	Support
Rule R85: Application of compost to land – permitted activity	Support
Rule R87: Land-based discharge of vertebrate toxic agents – permitted activity	Support
Rule R88: Aerial application of vertebrate toxic agents – controlled activity	Support
Rule R89: Farm refuse dumps – permitted activity	Support
Rule R90: Manufacture and storage of silage and compost – permitted activity	Support
Rule R91: Ofal pit – permitted activity	Amend
Rule 92: All discharges to land within community drinking water protection areas – restricted discretionary activity	Support
Rule R93: All other discharges to land – discretionary activity	Support

Regional Public Health believes that the activity has potential public health risks from microbiological exposure and increase in groundwater nitrate levels. That the rule is amended to include a new clause 9 to matters of control stating "The maximum application rate reflects the background ground water nitrate concentration."

Regional Public Health supports the intent of drinking water protection area provisions and believes that there is potential for the operation of ofal pits to have an adverse impact on potable groundwater drinking water supplies and that the effects of the activity should be the subject of a site specific risk assessment. That the wording of the proposed rule is amended by adding a clause (i) the ofal pit is located outside of a community drinking water protection area as shown on Map 26, Map 27a, map 27b or Map 27c.


**Rules - Land use**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Rule R94: Cultivation or tilling of land – permitted activity	Support		
Rule R95: Break-feeding – permitted activity	Support		
Rule R96: Cultivation and break-feeding – discretionary activity	Support		
Rule R97: Access to the beds of surface water bodies by livestock – permitted activity	Support		
Rule R98: Livestock access to the beds of surface water bodies – discretionary activity	Support		
Rule R99: Earthworks–permitted activity	Support		
Rule R100: Vegetation clearance on erosion prone land – permitted activity	Support		
Rule R101: Earthworks and vegetation clearance – discretionary activity	Support		
Rule R103: Plantation forestry harvesting – controlled activity	Support		
Rule R103: Plantation forestry harvesting – controlled activity	Support		





**Rules - Wetlands and beds of lakes and rivers**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Wetlands general conditions	Support	
Rule R104: Structures in natural wetlands and significant natural wetlands – permitted activity	Support	
Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity	Support	
Rule R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity	Support	
Rule R107: Activities in natural wetlands and significant natural wetlands – discretionary activity	Support	
Rule R108: Activities in natural wetlands and significant natural wetlands – non-complying activity	Support	
Rule R109: Activities in outstanding natural wetlands – discretionary activity	Support	
Rule R110: Activities in outstanding natural wetlands – non-complying activity	Support	
Rule R111: Reclamation of outstanding natural wetlands – prohibited activity	Support	
Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity	Support	
Rule R113: Diversion of flood water by existing structures – permitted activity	Support	
Rule R114: River crossing structures – permitted activity	Support	

Rule R115: Culverts – permitted activity	Support
Rule R116: Establishing a small dam and existing dams – permitted activity	Support
Rule R117: New structures – permitted activity	Support
Rule R118: Removing or demolishing structures – permitted activity	Support
Rule R119: Clearing flood debris and beach recontouring – permitted activity	Support
Rule R120: Minor sand and gravel extraction – permitted activity	Support
Rule R121: Maintenance of drains – permitted activity	Support
Rule R122: Removing vegetation – permitted activity	Support
Rule R123: Planting – permitted activity	Support
Rule R124: Entry or passage over bed (excluding livestock access) – permitted activity	Support
Rule R125: Structures within a site identified in Schedule C (mana whenua) – restricted discretionary activity	Support
Rule R126: Placement of a dam in an outstanding water body – non-complying activity	Support
Rule R127: Reclamation of the beds of rivers or lakes – non-complying activity	Support
Rule R128: Reclamation of the bed of an outstanding lake and associated diversion – prohibited activity	Support





Rules - Water allocation

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rule R136: Take and use of water – permitted activity	Support	
Rule R137: Farm dairy washdown and milk-cooling water – permitted activity	Support	
Rule R138: Water races – permitted activity	Support	
Rule R139: Pumping test – permitted activity	Support	
Rule R140: Dewatering – permitted activity	Support	
Rule R141: Take and use of water not permitted – controlled activity	Support	
Rule R142: All other take and use – discretionary activity	Support	
Rule R143: Temporary water permit transfers – controlled activity	Support	
Rule R144: Transferring water permits – restricted discretionary activity	Support	
Rule R145: Transferring water permits – discretionary activity	Support	
Rule R146: Geotechnical investigation bores – permitted activity	Support	
Rule R147: Drilling, construction or alteration of any bore – controlled activity	Support	

Rule R148: Drilling, construction or alteration of any bore – discretionary activity	Support

**Rules - Coastal management**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Coastal management general conditions	Support	
Rule R149: Maintenance or repair of structures – permitted activity	Support	
Rule R150: Minor additions or alterations to structures – permitted activity	Support	
Rule R151: Additions or alterations to structures – controlled activity	Support	
Rule R152: Removal or demolition of structures or part of a structure – permitted activity	Support	
Rule R153: Removal or demolition of a structures or part of a structure – restricted discretionary activity	Support	
Rule R153: Removal or demolition of a structures or part of a structure – restricted discretionary activity	Support	
Rule R154: New temporary structures outside sites of significance – permitted activity	Support	
Rule R155: New temporary structures – restricted discretionary activity	Support	
Rule R156: New or replacement navigation aids – permitted activity	Support	
Rule R157: New or replacement structures for scientific or education purposes – controlled activity	Support	
Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes or navigation	Support	



Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes, or navigation	Support
Rule R159: Structures in airport height restriction areas or navigation protection areas – prohibited activity	Support
Rule R160: Structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone – discretionary activity	Support
Rule R161: New structures, additions or alterations to structures outside sites of significance – discretionary activity	Support
Rule R162: New structures, additions or alterations to structures inside sites of significance – non-complying activity	Support
Rule R163: Replacement of structure or parts of structures – permitted activity	Support
Rule R164: Replacement of structures – restricted discretionary activity	Support
Rule R165: Additions or alterations to existing seawalls – controlled activity	Support
Rule R166: Seawalls outside sites of significance – discretionary activity	Support
Rule R167: Seawalls inside sites of significance – non-complying activity	Support
Rule R168: Alteration of structures identified in Schedule E2 or Schedule E3 – permitted activity	Support
Rule R169: Additions or alterations to structures identified in Schedule E1 and or Schedule E2 – restricted discretionary activity	Support
Rule R170: Additions to structures identified in Schedule E3 – permitted activity	Support

Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity	Support
Rule R172: Removal, demolition or replacement of a structure or part of a structure identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity	Support
Rule R173: Additions or alterations to structures inside the Commercial Port Area – permitted activity	Support
Rule R175: New structures associated with passenger and cargo handling inside the Commercial Port Area – permitted activity	Support
Rule R176: Use of boatsheds – permitted activity	Support
Rule R177: Change of use of boatsheds – non-complying activity	Support
Rule R178: New boatsheds inside Boatshed Management Areas – discretionary activity	Support
Rule R179: New boatsheds outside Boatshed Management Areas – non-complying activity	Support
Rule R180: New swing moorings inside Mooring Areas – permitted activity	Support
Rule R181: New swing moorings outside Mooring Areas – non complying activity	Support
Rule R182: Occupation of space by a structure owned by a network utility operator – permitted activity	Support
Rule R183: Renewal of existing resource consents for occupation of space by structures – controlled activity	Support
Rule R184: Occupation of space – discretionary activity	Support
Rule R185: General surface water and foreshore activities – permitted activity	Support
Rule R186: General surface water and foreshore activities – restricted discretionary	Support
Rule R187: General surface water and foreshore activities – discretionary activity	Support
Rule R188: Minor disturbances – permitted activity	Support



Other methods	My submission on this provision is:	Reasons for my submission:	I seek the following from WRC (give precise details):
Method M1: Regional plan implementation and integration	Support		
Method M2: Kaitiaki information and monitoring strategy	Support		
Method M3: Wellington regional hazards management strategy	Support		
Method M4: Sea level rise	Support		
Method M5: Polluted airsheds	Support		
Method M6: National Policy Statement for Freshwater Management strategy	Support		
Method M7: Outstanding water bodies	Support		
Method M8: Te Awarua-o-Porirua Harbour restoration	Support		
Method M9: Wairarapa Moana	Support		
Method M10: Water quality investigations and remediation actions	Support		
Method M11: Assessment and reporting of Wellington Regional Council works, operations and services for integrated catchment	Support		
Method M12: Sustainable land management practices	Support		

Method M13: Wairarapa water races	Support
Method M14: Maintenance of drains	Support
Method M15: Regional stormwater working group	Support
Method M16: Contaminated land	Support
Method M17: Reduce waste and use water and energy efficiently	Support
Method M18: Water use groups	Support
Methods 19: Water management	Support
Method M20: Wetlands	Support
Method M21: Fish passage	Support
Method M22: Integrated management of the coast	Support
Method M23: Archaeological discovery protocols	Support
Method M24: Outstanding natural features and landscapes and high natural character	Support
Method M25: Understanding and providing for mana whenua values and relationships	Support
Method M26: Encouraging the involvement of kaitiaki	Support





**Ruamāhanga Whaitua**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policy R.P.1: Minimum flows and water levels in the Ruamāhanga Whaitua	Support		
Policy R.P.1: Core allocation in the Ruamāhanga Whaitua	Support		
Policy R.P.3: Cumulative effects on river reaches of allocating water	Support		
Rule R.R.1: Take and use of water in the Ruamāhanga Whaitua - restricted discretionary activity	Support		
Rule R.R.2: Taking and using water - discretionary activity	Support		
Rule R.R.3: Take and use of water that exceeds minimum flows, lake levels or core allocation - prohibited activity	Support		





**Wellington Harbour and Hutt Valley  
Whaitua**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

	Support		
Policy WH.P1: Minimum flows and water levels in the Wellington Harbour and Hutt Valley Whaitua	Support		
Policy WH.P2: Core allocation in the Wellington Harbour and Hutt Valley Whaitua	Support		



**Te Awarua-o-Porirua Whaitua**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policy P.P1: Minimum flows and water levels in Te Awarua-o-Porirua Whaitua	Support	
Rule P.R1: Take and use of water - discretionary activity	Support	



**Kāpiti Coast Whaitua**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policy K.P1: Minimum flows and water levels in the Kāpiti Coast Whaitua	Support	
Policy K.P2: Core allocation for rivers in the Kāpiti Coast Whaitua	Support	
Rule K.R1: Take and use of water in the Kāpiti Coast Whaitua - restricted discretionary activity	Support	
Rule K.R2: Take and use water - discretionary activity	Support	



**Wairarapa Coast Whaitua**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Policy WC.P1: Minimum flows and water levels in the Wairarapa Coast Whaitua	
Rule WC.R1: Take and use of water - discretionary activity	

Regional Public Health supports the proposed policy.

Regional Public Health supports the proposed rule.





**Schedules****My submission on this provision is:****Reasons for my submission:****I seek the following from WRC (give precise details):**

Schedule A: Outstanding water bodies	Support		
Schedule B: Ngā Taonga Nui a Kiwa	Support		
Schedule C: Sites with significant mana whenua values	Support		
Schedule D: Statutory Acknowledgements	Support		
Schedule E: Sites with significant historic heritage values	Support		
Schedule F: Ecosystems and habitats with significant indigenous biodiversity values	Support		
Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity	Support		
Schedule H: Contact recreation and Māori customary use	Support		
Schedule I: Important trout fishery rivers and spawning waters	Support		
Schedule J: Significant geological features in the coastal marine area	Support		
Schedule K: Significant surf breaks	Support		
Schedule L: Air quality	Support		

Schedule M: Community drinking water supply abstraction points	Amend	
Schedule N: Stormwater management strategy	Support	
Schedule O: Plantation forestry harvest plan	Support	
Schedule P: Classifying and managing groundwater and surface water connectivity	Support	
Schedule Q: Reasonable and efficient use criteria	Support	
Schedule R: Guideline for stepdown allocations	Support	
Schedule S: Guideline for measuring and reporting of water takes	Support	
Schedule T: Pumping test	Support	
Schedule U: Trigger levels for river and stream mouth cutting	Support	

Regional Public Health have checked Schedule M against the Drinking Water Register for this area. We note that there are abstraction points on the Drinking Water Register, which trigger the definition of a Community Drinking Water Supply, that are not contained in Schedule M. These are Kapiti Coast District Council, Waikane/Paraparumu/Raumati (KI3-Huiawa) and Otaki (Rangiuru Road Bore); and South Wairarapa District Council, Kohunui Marae (Kohunui Marae Bore).

Regional Public Health propose that the Drinking Water Register and Schedule M, align according to the definition of a community drinking water supply abstraction point.

**Maps**

**My submission on this provision is:**

**Reasons for my submission:**

**I seek the following from WRC (give precise details):**

Map 1: Outstanding water bodies (Schedule A1, A2, A3)	Support
Map 2: Ngā Taonga Nui a Kiwa (Schedule B)	Support
Map 3: Sites of significance to Ngā Hapū ō Ōtaki (Schedule C1)	Support
Map 4: Sites of significance to Te Ātiawa ki Whakarongotai (Schedule C2)	Support
Map 4: Sites of significance to Te Ātiawa ki Whakarongotai (Schedule C2)	Support
Map 5: Sites of significance to Ngāti Toa Rangatira (Schedule C3)	Support
Map 7: Sites of significance to Ngāti Kahungunu ki Wairarapa and Rangitāne o Wairarapa (Schedule C5)	Support
Map 8: Historic heritage structures (Schedule E1)	Support
Map 9: Historic heritage wharves and boatsheds (Schedule E2)	Support
Map 10: Historic heritage navigation aids (Schedule E3)	Support
Map 11: Archaeological sites (Schedule E4)	Support
Map 12: Historic heritage freshwater sites (Schedule E5)	Support

Map 13a: Rivers and lakes with significant indigenous ecosystems: high macroinvertebrate community health (Schedule F1)	Support
Map 13b: Rivers and lakes with significant indigenous ecosystems: habitat for indigenous threatened/at risk fish species (Schedule F1)	Support
Map 13c: Rivers and lakes with significant indigenous ecosystems: habitat for six or more migratory indigenous fish species (Schedule F1)	Support
Map 14: Known rivers and parts of the coastal marine area with inanga spawning habitat (Schedule F1b)	Support
Map 15: Lakes with significant aquatic plant communities (Schedule F1c)	Support
Map 16: Habitats for indigenous birds in rivers (Schedule F2a)	Support
Map 17: Habitats for indigenous birds in lakes (Schedule F2b)	Support
Map 18: Habitats for indigenous birds in the coastal marine area (Schedule F2c)	Support
Map 19: Sites with significant indigenous biodiversity values in the coastal marine area (Schedule F4)	Support
Map 20: Significant primary contact recreation rivers and lakes (Schedule H)	Support
Map 21a: Modelled river classes – upper Wairarapa valley catchments (Table 3.1)	Support
Map 21b: Modelled river classes – middle Wairarapa valley catchments (Table 3.1)	Support
Map 21c: Modelled river classes – Lake Wairarapa and lower valley catchments (Table 3.1)	Support
Map 21d: Modelled river classes – Wellington Hutt Valley and Wainuiomata catchments (Table 3.1)	Support

Map 21e: Modelled river classes – Kāpiti Coast catchments (Table 3.1)	Support
Map 22: Trout fishery rivers and trout spawning waters (Schedule I)	Support
Map 23: Significant geological features in the coastal marine area (Schedule J)	Support
Map 24: Significant surf breaks (Schedule K)	Support
Map 25: Masterton urban airshed	Support
Map 26: Surface water community drinking water supply protection areas (incorporates Schedule M1)	Support
Map 27a: Groundwater community drinking water supply protection areas – Wairarapa (incorporates Schedule M2)	Amend
Map 27b: Groundwater community drinking water supply protection areas – Hutt Valley (incorporates Schedule M2)	Support
Map 27c: Groundwater community drinking water supply protection areas – Kāpiti Coast (incorporates Schedule M2)	Amend
Map 28: Water races in the Wairarapa	Support
Map 29: Lowland areas for Category 2 surface water bodies	Support
Map 30: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	Support
Map 31: Boatshed areas	Support
Map 32: Commercial port, Lambton Harbour Area & noise control lines – Lambton Harbour	Support

An amendment may be required if there is a change to Schedule M to align with the Drinking Water Register.

An amendment may be required if there is a change to Schedule M to align with the Drinking Water Register.

Map 33: Commercial port area & noise control lines – Miramar and Burnham Wharves	Support
Map 34: Commercial port area – Seaview Wharf	Support
Map 35: Titahi Bay fossil forest (indicative)	Support
Map 36: Mooring areas Wellington Harbour (Port Nicholson) – Evans Bay	Support
Map 37: Mooring areas Wellington Harbour (Port Nicholson) – Whiorau/Lowry Bay	Support
Map 38: Mooring areas Island Bay	Support
Map 39: Mooring areas Te Awarua-o-Porirua Harbour – Onepoto	Support
Map 40: Mooring areas Te Awarua-o-Porirua Harbour – Mana	Support
Map 41: Mooring areas Te Awarua-o-Porirua Harbour – Pauatahanui Arm	Support
Maps 42-48: Coastal marine area and river mouth boundaries	Support
Map 49: Navigation protection areas in Wellington Harbour (Port Nicholson)	Support
Map 49: Navigation protection areas in Wellington Harbour (Port Nicholson)	Support
Map 50: Wellington International Airport height restrictions	Support
Map 51: Kapiti Coast Airport approach gradients	Support

Map 52: Cook Strait cable protection zone

	Support





Proposed Natural Resources Plan:

Submitter:

**Beth Jones**

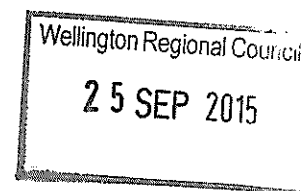
Submitter Number:

**S137**

**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991

To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Beth Jones  
 Organisation name: \_\_\_\_\_  
 (If applicable)  
 Address for Service: 21A Crieff St, Wellington

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 0273244842

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: bebbs@paradise.net.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 2.2	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think it is important to define climate change in the plan.
	I seek the following	seek the following decision from WRC: That "Climate

	decision from WRC (give precise details): →	change" be defined as a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods." (Source: UN Framework Convention on Climate Change 1992).
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 3.4 Natural Form and Function: Objective 020	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission	I think it is important to separate adverse effects of natural hazards from those of climate change in the plan because, while related, they do not in all cases relate to the same issues. The list of potential adverse effects requires wider definition, and recognition, in the plan
	I seek the following decision from WRC (give precise details): →	seek the following decision from WRC: that a separate objective be created for climate change, and that it states: "The risk, residual risk, and adverse effects of climate change on people, the community, biodiversity, aquatic ecosystem health, mahinga kai and infrastructure are recognised"

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4.4.4 natural Hazards Policy P29; Climate change	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I think the potential threats from climate change require wider definition, and recognition, in the plan.
	I seek the following decision from WRC (give precise details): →	that the policy P29 states: "The potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai or to cause or exacerbate natural hazard events that could adversely affect use and development including but not limited to: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion, aggradation, decreased minimum flows and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using the best available guidance for the Wellington Region shall be recognised."

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

I/We do wish to be heard in support of my/our submission

[Note: This means that you wish to speak in support of your submission at the hearing(s).]

I  We do not wish to be heard in support of my/our submission

[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 25/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

Proposed Natural Resources Plan:

Submitter:

**Heather Phillips**

Submitter Number:

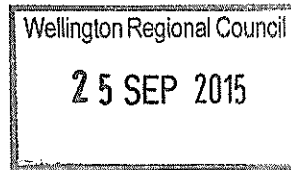
**S138**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Heather Jean Phillips

Organisation name:  
 (If applicable)

Address for Service: 930 Moonshine Road, RD1 Porirua 5381

Telephone no's: Work: Home: 527 4903 Cell:

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: Please notify by postal mail the date of hearings to these submissions and my time for presenting to my submission. Thank you

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): SUBMISSION PROCESS - WORD FORM This form asks me to TICK boxes BUT PUTS X in when activated in computerised form.  X means negative response - being the opposite to a tick being positive response.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Lack of understand of what GWRC want to be answered.
	I seek the following decision from WRC (give precise details): →	Ask a question for a tick please supply the option of putting a tick not a X ; or don't mention tick and say put a X in. Better still ask for YES NO

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <b>MAPPING</b> Item 1: River Class classifications in the GIS layer for this plan has streams that are ephemeral.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	My land is incorrectly classified
	I seek the following decision from WRC (give precise details): →	Part of a Class 1 river and all but 20m of a Class 3 river, on my property are incorrectly shown on Map 21d. on GIS system. They are in fact ephemeral.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <b>PLAN OMISSION</b> Item 2: Why does this Plan ignore litter/rubbish/refuse as a pollutant to water systems?	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	United Nations recognises that "Marine Litter consists of items that have been made or used by people and deliberately discarded into the sea or rivers or on beaches; brought indirectly to the sea with rivers, sewage, storm water ..." The problem of plastic/human made product fouling/killing our aquatic ecosystems is growing. That this document has a complete lack of recognition that even the problem exists is startling.
	I seek the following decision from WRC (give precise details): →	This Natural Resources Plan needs to cover the issue of litter/rubbish/refuse as a pollutant to water; and look at ways to mitigate/clean up the sources of these pollutants (litter/rubbish/refuse) in our waterways and flood zones (areas adjacent to our waterways).

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): <b>PLAN OMISSION</b> Item 3: Why are flooding events that transport litter/rubbish/debris to sea/ocean not tackled by this plan?	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	A GWRC policy officer stated that "we are not interested in flood events within this Natural Resources Plan as we are unable to record them". My observation is that the large amounts waste enters the water system in raised water events. I realise it is a hard issue to tackle but more damaging pollutants are transported in a flood than at any other time and no recognition is given. No control/mitigation measures considered. (See also Item 2 of my submission).
	I seek the following decision from WRC (give precise details): →	Some of the following could be considered: - Make rubbish tip fees free to the general public, so that people dispose of waste to a controlled area. (As Refuse tip fees increase so does illegal roadside/river dumpings). - Don't allow buildings, storage areas, in flood prone areas? (Floods happen regularly but the rubbish they wash out takes decades to degrade). - Encourage more community responsibility for our own environment. It is not just cow poo going down the river but also (as to date apparently unmeasured volumes) of baby nappies to plastic bottles, abandoned cars, flood damaged buildings - just any item a human has made will appear in the river as litter. Particularly plastics have very long term detrimental effects on the marine life, and also likely to be affecting humans further up the food chain also.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
 [Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
 [Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 4: 5.1.13 Ground-based and aerial applications For all applications excluding residential areas and hand-held/knapsack applications: (d) there is no aerial spraying in residential areas, and may be in other locations	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	No definition within Natural Resources Plan as to where these "residential areas" boundaries are. My address in the Porirua City Council District Planning Zones is "rural" BUT in Statistics New Zealand map my address (and ALL of Porirua City) is "main urban area" (ie residential). One area with two different legal interpretations of land use.
	I seek the following decision from WRC (give precise details): →	Define "residential areas" either with maps or clarify where to find the legal map to be referred to.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5: 5.1.13 Ground-based and aerial applications For all applications excluding residential areas and hand-held/knapsack applications: and may be in other locations	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Is a spray unit on a quad motorbike that has a hand-held hose part of this?
	I seek the following decision from WRC (give precise details): →	Perhaps "hand-held and/or knapsack applications" would better?

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 6: 5.1.13 Ground-based and aerial applications (g) the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and may be other locations in the plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Need clarification of what makes a "spray plan".
	I seek the following decision from WRC (give precise details): →	Define where a "spray plan" form/template is located or describe what is need to be included in a "spray plan": perhaps refer to NZS8409:2004 from M4.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 7: 5.1.13 Ground-based and aerial applications Rule R36: Agrichemicals – permitted activity The discharge of agrichemicals into air or onto or into land where it may enter water is a permitted activity, provided the following conditions are met: (ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, or (iii) gain written agreement from adjoining neighbours that notification is not required, and may be in other locations in the plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Need clarification of why all my neighbours need to be notified of spraying when only those directly adjacent/adjoining spray could be affected. Not those kilometers from the work site on the other side of my property.
	I seek the following decision from WRC (give precise details): →	From: NZS8409:2004 M2.2 Application on private property Any person who is <b>LIKELY TO BE DIRECTLY AFFECTED</b> by the application of agrichemicals has a right to information about the operation. The owner or occupier of the property on which the spraying is to take place shall inform, at intervals of no more than once a year, any person who is <b>LIKELY TO BE DIRECTLY AFFECTED</b> by the application, that a spray plan (see M4) has been prepared and is available on request. More or less frequent information may be provided where mutually acceptable arrangements have been agreed to, and recorded on the spray plan. Notification shall also be in accordance with any regulatory requirements of the local authority. The NZ Standard covers this area of spraying but this Natural Resources Plan has mangled/bastardized the meaning of the Standard. Refer to Standard NZS8409:2004 and leave it at that.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
--	---------------------------------------	--

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Heather Phillips



Date: 24 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

P.T.O.

8. ERROR AND OMISSION Schedule I - Important trout fishery rivers and spawning waters plus Map 22	Reasons for my submission: →	"Whakatikei Stream" in Schedule I on Page 413 should be "Whakatikei River" as per Map 22 "Moonshine Stream" in Schedule I on Page 413 is missing in Map 22
	I seek the following decision from WRC (give precise details): →	Correctly name "Whakatikei River" in Schedule I on Page 413 and Add "Moonshine Stream" to Map 22



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Additional Submission Items – Heather Phillips**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): 9: OMISSION Map 22 –Whakatikei River trout spawning water And joining of disconnected spawning areas along rivers.	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The Whakatikei River seems to be missing as an areas of trout spawning, ie the Duck Pond and the upper reaches and all the areas in between. Fish cannot fly from one area to the next, they swim up and down rivers. So if it is a spawning area all the river needs to be captured up to that point. Is this an overlook or perhaps the fact that the Whakatikei Dam will affect these area has led to these areas being left out.
	I seek the following decision from WRC (give precise details): →	Add Whakatikei River as trout spawning water. Trout spawning in the whole document- Look at all spawning rivers and the area should cover area spawning right down to the sea NOT just sections.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): 10: OMISSION Urban areas pollution being a major contributor to the degradation of our natural resources is not clearly shown in this plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The general public has a perception that it is the "farmer" causing the polluting of our waterway whereas in truth the majority of polluting comes from the urban (populated) areas.
	I seek the following decision from WRC (give precise details): →	A couple of simple diagrams (sedimentation and pollutants) showing the general quality of water and its change of state as it moves from native forest to exotic plantation, to hill country farm land, to lowland dairy/cropping and through to urban areas and on to the sea. Where the most sedimentation comes from (possibly farming and land development) but also showing pollutants with the vast majority of these coming from urban areas. This visual diagram would help people to own their problems and not pass it off as just a "farming" issue.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): 11 OVER RUN BY PLANS about the environment	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Diagram on page 8 shows how may duplications and interpretation of our natural resources management there are - <b>10 plans</b> . Yet each works in isolation to the other or duplicates each other- Please WHY? <b>The Regional Coastal Plan is the only mandatory regional plan; other regional plans are prepared at the discretion of the regional council ...</b> I would like just one set guidelines, if that is national regulations why is there a need to repeat (in altered states).
	I seek the following decision from WRC (give precise details): →	Cut the excess out of the plan and don't repeat information/regulations that is covered in other plans. Has no one heard the saying "LESS IS MORE" - people might understand and comply with the essence of protecting our environment if we didn't have to continually wade through red tape.

PT.O.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 12: GROWSAFE® references in plan	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Registered Chemical Applicator Certification should not be limited to one provider
	I seek the following decision from WRC (give precise details): →	Refer to GROWSAFE® as an example of appropriate certification

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

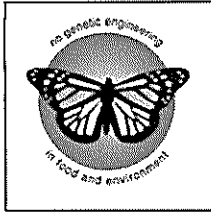
Submitter:

**GE Free New Zealand**

Submitter Number:

**S139**





# GE Free New Zealand

In Food and Environment Inc.

PO Box 13402, Wellington, NZ Ph. +64- 4 - 477 4744  
[www.gefree.org.nz](http://www.gefree.org.nz)

24 September 2015

GWRC proposed Natural Resources Plan –

Dear Chair and councillors,

GE Free NZ submitted a detailed submission to you at the last round of submissions and we were hopeful that you might have added our concerns over genetically engineered organisms (GMO's) to the plan. We note there is a silence on any reference to GMO activities in any part of the proposed natural resource plan.

Our presentation on GMO's dealt with the rising level of harm that is occurring to the environment, economic livelihoods, and health of communities. Other councils in New Zealand have also acknowledged the uncertainty around the safety and risk of GMO's to their regions.

The proposed Auckland Unitary plan (PAUP) is also hearing submissions on this issue on the 28<sup>th</sup> September with the view of implementing a precautionary approach to the growing of GMO's in the region. It is important that the GWRC seriously consider the implications of the unknown risks and implement a precautionary approach until the open release for growing can be found to be safe for the greater region.

We do also note that in the original staff note to the council they considered it was a central government issue. However we did submit evidence of the *Federated Farmers of New Zealand v Northland Regional Council – NZEnvC 89 [1]* Court case that council does have a responsibility in its "duty of care".

We would like you to re consider this omission and place in your rules, objectives and policies some protection and precaution around GMO's. We note that you do have a clause on fracking waste; we ask that you add a similar precautionary one on GMO's.

In the proposed NRP objectives section, O51, hazardous substances, p.90, are mentioned we ask that new organisms be added after HS.

We ask that a totally new category is added that is emerging issues and is similar to the Bay of Plenty clauses namely wording that is precautionary for the land use of GMO's.

I refer you to the wording that was approved by Judge Thompson for the BOP regional plan in his decision at clause 29 [2] and the BOP regional policy plan 1.8 (p.10). [3]

In September 2015 the Hastings District plan implemented Policies Rules and Objectives around Hazardous substances and new organisms [4] we ask that you consider these in relation to the precautionary approach that the council has in its duty of care to its land use, water management and community health.

Yours sincerely,

Jon Muller  
Secretary GE Free NZ

Cc: Claire Bleakley

[1] Federated Farmers of New Zealand v Northland Regional Council [2015] NZEnvC 89 (12 May 2015) <http://www.nzlii.org/cgi-bin/download.cgi/cgi-bin/download.cgi/download/nz/cases/NZEnvC/2015/89.pdf>

[2] <http://www.boprc.govt.nz/media/321876/environment-court-decision-18-dec-2013-env-2012-339-000041-part-one-section-17.pdf>

[3] <https://www.boprc.govt.nz/media/433849/operative-rps-1-october-2014-contents-and-part-1-updated-8-may-2015.pdf>

[4] <https://www.hastingsdc.govt.nz/files/all/Proposed%20DP/Plan%20Text/29.1HazardousSubstancesAndGeneticallyModifiedOrganismsDistrictWideActivity.pdf>

Proposed Natural Resources Plan:

Submitter:

**Kiwi Rail Holdings Limited**

Submitter Number:

**S140**



25 September 2015

Regional Plan Team  
Greater Wellington Regional Council  
**Wellington**

Wellington Regional Council

25 SEP 2015

By e-mail: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Dear Sir/Madam

## **Proposed Wellington Natural Resources Plan – Submission Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991**

**NAME OF SUBMITTER:** KiwiRail Holdings Limited (KiwiRail)

**ADDRESS FOR SERVICE:** Level 1  
Wellington Railway Station  
Bunny Street  
PO Box 593  
**WELLINGTON 6140**

Attention: Rebecca Beals

Ph: 04 498 3389

Email: [Rebecca.Beals@kiwirail.co.nz](mailto:Rebecca.Beals@kiwirail.co.nz)

Thank you for the opportunity to make a submission on the Proposed Wellington Natural Resources Plan (PNRP). There are a number of matters that in the view of KiwiRail require amendment prior to being made operative and these are detailed in the table attached to this submission.

### **KiwiRail**

KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network including the Interislander service between Wellington and Picton. This includes managing land for railway and ferry infrastructure, as well as providing rail and ferry freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for land designated "Railway Purposes" in District Plans throughout New Zealand.

In relation to the function and scale of KiwiRail's operations the following facts are from the KiwiRail 2014/2015 Annual Report:

- The company is a logistics provider to customers who use rail freight and ferry services. Approximately 900 freight trains each week result in 18 million tonnes of freight being moved each year around the country on the rail network. Freight includes carrying bulk freight such as coal and milk, and containerised import or export freight to and from ports and full container loads for New Zealand freight forwarders.

- KiwiRail operates public transport services in Wellington on behalf of Greater Wellington Regional Council. Each year, Tranz Metro suburban services provide approximately 12 million passenger journeys. KiwiRail currently also operates the Capital Connection commuter train on weekdays between Palmerston North and Wellington and three long distance rail journeys (Northern Explorer, TranzAlpine and Coastal Pacific).
- Infrastructure: KiwiRail is an infrastructure provider in the form of the New Zealand rail network. Its' role is to operate, maintain and improve the 4,000 km track network, including more than 1,500 bridges and 140 tunnels.
- Importantly for the Wellington Region KiwiRail is an owner and operator of shipping services operating under the Interislander brand. Of Interislanders' three ferries, one is owned and two are chartered. The Interislander carries 800,000 passengers per year between Wellington and Picton spread across 4,600 sailings.

Specifically the Wellington Rail and Ferry Network consists of:

- The North Island Main Trunk (NIMT) which proceeds north from Wellington through to Palmerston North and then onward to Auckland or to Hawkes Bay or through to Taranaki. Most passenger services terminate at Waikanae with longer distance services to Auckland and Palmerston North;
- The Wairarapa Line which travels through the Hutt Valley and the Wairarapa connecting to the Palmerston North to Gisborne Line at Woodville. Frequent commuter passenger services exist to Upper Hutt with a 3 times a day service extending through to Masterton;
- The Johnsonville and Melling Lines;
- The Gracefield Branch Line;
- The Wellington Station and Woburn rail yards; and
- The Interislander ferry terminal facilities including rail and vehicle marshalling areas and
- A separate rail depot at Kaiwharawhara.

KiwiRail is committed to improving the safety of the overall rail network. National figures for July 2013 to June 2014 recorded 295 level crossing incidents and 408 trespass incidents. Of those incidents at level crossings, there were 7 fatalities, 7 serious injuries and 11 minor injuries resulting. Of the trespass incidents there were 3 fatalities and 4 minor injuries resulting. Table 1 below sets out incidents specific to the Wellington Region. While the number that result in injury or fatality as a percentage of the total incidents on the network might be low, these can all be avoided.

*Table 1: Level crossing incidents 2010 to 2014 for the Wellington Region*

<b>Year</b>	<b>Level Crossing Incidents</b>	<b>Near Misses</b>	<b>Trespassing</b>
2010	27	32	6
2011	25	28	4
2012	29	35	12
2013	37	51	11
2014	39	54	15
<b>Total</b>	<b>157</b>	<b>200</b>	<b>48</b>

As regionally significant infrastructure it is therefore appropriate that the Natural Resources Plan provide for the reasonable operation, maintenance and upgrading of rail and ferry infrastructure within the Region, as well as the health and safety of employees and the wider community.



### **Electronic Communication**

KiwiRail prefers to receive information about the Proposed Natural Resource Plan via email. Can all communication please be emailed to [Rebecca.Beals@kiwirail.co.nz](mailto:Rebecca.Beals@kiwirail.co.nz) and a copy sent to [lindsay@incite.co.nz](mailto:lindsay@incite.co.nz).

### **Trade Competition**

KiwiRail could not gain an advantage in trade competition through this submission.

### **Submission on the Proposed Plan Provisions**

KiwiRail's submissions on the Proposed Natural Resources Plan are set out in the attached table. In relation to the matters raised KiwiRail seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

### **Attendance and Wish to be heard at Hearings**

KiwiRail wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington Regional Council staff prior to the hearings themselves. If there are any issues of clarification required please contact Lindsay Daysh of Incite on 04 801 6862/027 502 0779 or [lindsay@incite.co.nz](mailto:lindsay@incite.co.nz) or the undersigned.

Yours sincerely



Rebecca Beals  
Senior RMA Advisor  
**KiwiRail**

25 September 2015

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
<b>Section 2.2 Definitions:</b>				
1.	Commercial Port Area	Support with amendment	This is defined as "The areas shown on Map 32, Map 33 and Map 34 (unless otherwise specified)": It is unclear what "unless otherwise specified" means but it could create ambiguity.	Amend to provide clarification as to what other Maps define or link to The Commercial Port Area;
2.	Common Marine and Coastal Area		KiwiRail notes that the PNRP promotes the integrated management of a coastal marine area and related parts of the coastal environment, as per section 64(2) RMA. While noting the proposed definition is taken from the Marine and Coastal Area (Takutai Moana) Act 2011, the proposed definition for the purposes of the PNRP is unhelpful in that it only excludes specific areas without any certainty for where the PNRP provisions apply. This will cause significant confusion and interpretation issues for both plan users and the regulator. It is noted the illustration in Figure 1.3 illustrates the Regional Coastal Plan as on the mean high water mark (not the wider environment). KiwiRail operates in and adjacent to the coastal environment and therefore certainty is paramount when determining consent requirements.	Provide clarification as to the extent of application of the Coastal Plan provisions, specifically in relation to whether the wider environment is included, to enable certainty.
3.	Contaminated Land	Support	KiwiRail supports the definition of Contaminated Land as it replicates the definition in the Act.	Retain this definition in its current form.
4.	Earthworks	Support	KiwiRail supports the definition of Earthworks as it specifically excludes the repair and maintenance of existing roads and tracks.	Retain this definition in its current form.
5.	Functional Need	Support	KiwiRail as a linear regionally significant infrastructure provider supports this definition as there are situations where the rail network adjoins the Common Marine and Coastal Area and there are multiple crossings of rivers within the region. In addition KiwiRail as an interisland ferry operator has a functional need to be located in the Coastal Marine Area.	Retain this definition in its current form.
6.	Hard Engineering	Support	As the nation's rail provider the use of hard engineering methods is appropriate and is often the only method available to maintain, repair, operate and upgrade regionally significant infrastructure in relation to where it adjoins the Coastal Marine Area or where the rail asset needs to cross rivers and streams.	Retain this definition in its current form.

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7.	In water cleaning	Support	Interisland ferries require periodic cleaning to remove organic and inorganic material that may accumulate on the hull of the vessels. It is appropriate that this activity is defined in the PNRP. KiwiRail supports the definition of the term and its inclusion in the PNRP. Off-setting is important for linear infrastructure providers, such as the KiwiRail, where functional and locational constraints are often present. This definition confirms that offsetting and its application to projects does form part of the RMA framework, and furthermore that the term is not exclusive to biodiversity values e.g. this could include a financial offset.	Retain this definition in its current form.
8.	Offset	Support	It is appropriate that operational requirements are defined as linear infrastructure such as the rail network often has operational requirements in order for the activity to function safely and efficiently. As an interisland ferry operator KiwiRail generally supports the definition of Port related activities in the PNRP Plan because it is appropriate to separately identify port related activities in the policy and rule frameworks. KiwiRail considers however that the definition would be improved by the addition of the words "other structures" after the word buildings as some port activities are not within buildings such as the berthing structures and wharves which aren't buildings, equipment or machinery however are directly related to the port activities which KiwiRail undertake.	Retain this definition in its current form.
9.	Operational Requirement	Support		Retain this definition in its current form.
10.	Port Related Activities	Support with amendment		Amend definition as follows. <i>Activities within the Commercial Port Area, the Lambton Harbour Area and on the adjacent land within the district including, but not limited to, the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, other structures, machinery and equipment used in connection with the port or its administration.</i>
11.	Regionally Significant Infrastructure	Support	KiwiRail supports the definition as it includes the "Strategic Transport Network" which includes the Rail network and activities operating from CentrePort.	Retain this definition in its current form.
12.	Reverse Sensitivity	Support	KiwiRail supports the definition of Reverse Sensitivity in the PNRP because it is appropriate to recognise the vulnerability of existing lawfully-established activities such as the rail network to other activities in the vicinity which may be sensitive to adverse environmental effects.	Retain this definition in its current form.

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13.	Strategic Transport Network	Support with amendment	<p>KiwiRail supports the definition in principle but queries whether it is appropriate that the definition has its origins in the Regional Land Transport Plan 2015. This is a document that will be subject to change over the life of the Natural Resources Plan. Every time there is a change to the RLTP it would necessitate a consequential change to the NRP, therefore wording changes are suggested to ensure that the most recent version of the RLTP is able to be considered.</p>	<p>Amend definition as follows;</p> <p>The <b>Strategic Transport Network</b> comprises the following parts of the Wellington Region's transport network:</p> <p>(a) All railway corridors and 'core' bus routes as part of the region's public transport network identified in the Regional Land Transport Plan 2015 <u>or any subsequent versions</u>, and</p> <p>(b) All strategic roads that are classified as a National High Volume Road, National Road, or Regional Road as part of the region's strategic road network identified in the Regional Land Transport Plan 2015 <u>or any subsequent versions</u>, and</p> <p>(c) Any other road classified as a high productivity motor vehicle (HPMV) route identified in the Regional Land Transport Plan 2015 <u>or any subsequent versions</u>, and</p> <p>(d) All sections of the regional cycling network classified as having a combined utility and recreational focus identified in the Regional Land Transport Plan 2015 <u>or any subsequent versions</u>.</p> <p>The <b>Strategic Transport Network</b> is mapped in the Regional Land Transport Plan 2015 <u>and if subsequently altered the latest map shall take precedence</u>.</p>
<b>Chapter 3. Objectives</b>				
14.	Beneficial use and development Objective O9	Support with amendment	<p>The recreational values of the coastal marine area or adjoining rivers and lakes should be maintained and enhanced only "where appropriate". This will not be everywhere in the coastal areas that adjoin the rail network or where rail crosses rivers or in the defined Commercial Port Area. Public access to the rail network is restricted by KiwiRail for safety and security reasons and the appropriateness of providing enhanced recreational values where safety is not compromised needs to be recognised.</p>	<p>Amend Objective 9 as follows;</p> <p>The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced <u>where appropriate</u>.</p>
15.	Beneficial use and development Objective O10	Support with amendment	<p>While KiwiRail supports the intent of the Objective public access to and along the coastal marine area where it adjoins the rail network or where the rail network crosses</p>	<p>Amend Objective 10 as follows;</p>

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			rivers or in the Commercial Port Area, is not supported for safety and security reasons. This is consistent with the submission point above in relation to recreational values.	Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u> .
16.	Beneficial use and development Objective O12	Support	KiwiRail supports the objective that the social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	Retain this objective in its current form.
17.	Beneficial use and development Objective O13	Support	KiwiRail supports the objective that the use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	Retain this objective in its current form.
18.	Natural Character and Function: Objective O19	Support with amendment	KiwiRail considers that the use of the word interference within the objective is not appropriate. Interference, such as appropriate dredging, reclamations or protecting regionally significant infrastructure, may interfere with natural processes, but there could be a functional and operation need and it could be acceptable from an effects perspective.	Amend Objective O19 as follows:  The <u>interference adverse effects</u> from use and development on natural processes is <u>minimised are avoided, remedied or mitigated</u> .
19.	Natural character, form and function Objective O22	Oppose	KiwiRail opposes this objective as there is no recognition made of the importance of being able to maintain, repair or upgrade Regionally Significant Infrastructure from Natural Hazards where hard engineering mitigation and protection methods and solutions can be the only practicable and feasible option particularly in a coastal environment.	Amend Objective 22 as follows:  Hard engineering mitigation and protection methods are only used as a last practicable option <u>unless there is a functional need or operational requirement</u> .
20.	Biodiversity, aquatic ecosystem health and mahinga kai Objective O29	Support with amendments	KiwiRail supports the intent of the objective but the wording could be improved to provide greater clarity. As currently drafted it could be read that fish passage in all existing situations does not exist. In addition there could be circumstances where restoration cannot be achieved and that should be recognised.	Amend Objective 29 as follows:  <u>Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.</u>  <u>Use and development provides for the passage of fish and koura, and if appropriate, passage of fish and koura is restored where this is not currently provided.</u>

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21.	Sites with significant values Objective O31	Support with amendment	The existing rail network generally avoids such waterbodies. However KiwiRail considers it important to recognise that some infrastructure has functional, locational and operational constraints which sometimes dictate locations for associated works.	Amend Objective O31: Outstanding water bodies and their significant values are protected <u>from inappropriate use and development.</u>
22.	Sites with significant values Objective O33	Support with amendment	The intent of the policy is supported however KiwiRail considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Amend Objective 33 Sites with significant mana whenua values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>
23.	Sites with significant values Objective O35	Support with amendment	The intent of the policy is supported however KiwiRail considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Ecosystems and habitats with significant indigenous biodiversity values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>
24.	Soil Objective O43	Support with amendment	While KiwiRail supports the intention of the policy and the integrated management approach to resource management the effects of contaminated land on human health is regulated by city and district councils under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health. The effects of discharges from land contamination upon the coastal marine area and upon the values of lakes and rivers is covered by Objective 46. KiwiRail supports that use and development in the coastal marine area is appropriately focused on whether there is a functional need and operational requirement for that use and development to be located there.	Amend Objective O43 Contaminated land is <u>identified and managed</u> to protect <u>human health</u> and the environment <u>from unacceptable contamination related effects.</u>
25.	Coastal Management Objective O53	Support	KiwiRail supports that use and development in the coastal marine area is appropriately focused on whether there is a functional need and operational requirement for that use and development to be located there.	Retain Objective O53: Use and development in the coastal marine area has a functional need or operational requirement to be located there.
26.	Coastal Management Objective O55	Support with amendment	While the intent of the Objective is supported it should be recognised that in the Commercial Port Area including the Interislander Ferry Terminals and railway areas, that public open space is inappropriate for safety and security reasons.	Amend Objective 55 The need for public open space <u>in appropriate areas</u> of the coastal marine area is recognised.

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27.	Coastal Management Objective O56	Support with amendment	KiwiRail considers that this Objective could be enhanced by recognising that it is not just compatibility with the location but also the function of new development.	Amend Objective 56  New development in the coastal marine area is of a scale, density and design that is compatible <u>with its function and</u> its location in the coastal environment.
28.	<b>Chapter 4. Policies</b> Ki ufa ki tai and integrated catchment management Policy P3	Support with Amendment	Reference to the precautionary approach needs to be limited to the situation where there is both an absence of information and the potential for significant adverse effects- i.e. the way that the NZ Coastal Policy Statement Policy 3 uses that concept. It should not be framed as a blanket requirement for caution wherever the nature and scale of effects cannot be predicted with complete certainty (which in the natural environment, is on virtually every occasion) and should allow for measured development matching the scale of risk in the circumstances.	Amend Policy P3 to read:  <del>Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the adverse effects the activity may have on this environment.</del>  <b>A precautionary approach to the management of the nature, scale and speed of use and development shall be used where there is limited information available and there is the potential for significant adverse effects.</b>
29.	Ki ufa ki tai and integrated catchment management Policy P4	Support with amendment	KiwiRail considers that the policy could be improved by making it clear that "the smallest practicable amount is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.  In addition clause (b) would be improved by insertion of the words "if practicable" noting that for functional requirements and operational need it may not be always possible to locate an activity away from identified areas.	Amend policy:  Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <u>having regard to the nature and objectives of the activity</u> and shall include:....  <b>(b) if practicable considering the nature and objectives of the activity</b> locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and ...
30.	Beneficial Use and development Policy P7	Support with amendment	Even though there is a specific policy (Policy P12) recognising the benefits of regionally significant infrastructure KiwiRail considers that the cultural, social and economic benefits of regionally significant infrastructure should be added to this comprehensive list.	Amend Policy 7 to add:  <b>(I) regionally significant infrastructure.</b>

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31.	Beneficial Use and development Policy P9	Support with amendment	<p>KiwiRail supports the intent of the policy but submits that there should:</p> <ul style="list-style-type: none"> <li>• Be recognition of the need for <b>safety and security</b> requirements of regionally significant infrastructure, particularly around rail operations and port requirements; and</li> <li>• In relation to the end sentence of the policy mitigation or offset outside of land owned, (by in this case KiwiRail), is difficult to enforce and may not be practicable. Therefore if KiwiRail was to develop and public access was to be restricted, there would potentially be no actual means of achieving that mitigation/offset based on public safety and limited land holdings.</li> </ul>	<p>Amend Policy 9 as follows</p> <p>Reduction in the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers shall be avoided except where it is necessary to:</p> <p>(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (Indigenous biodiversity), or</p> <p>(b) protect public health, safety <b>and security</b>, or</p> <p>(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and</p> <p>with respect to (a), (b) and (c), where it is necessary to permanently restrict or remove existing public access, and <b>where practicable and achievable and considering the nature of the activity</b>, the loss of public access shall be mitigated <b>or offset</b> by providing enhanced public access at a similar or nearby location</p>
32.	Beneficial Use and development Policy P12	Support with Amendment	<p>KiwiRail supports the intent of the policy but it will be improved by recognising that some regionally significant infrastructure including the rail network has a functional need to be located over, under or within and adjacent to the beds of lakes and rivers.</p>	<p>Amend Policy by adding:</p> <p>(f) <b>the functional need for regionally significant infrastructure to be located over, under, within and adjacent to the beds of rivers and lakes.</b></p>



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33.	Beneficial Use and development Policy P14	Support	KiwiRail supports the policy as it recognises the reverse sensitivity effects of new incompatible use and development upon Regionally Significant Infrastructure.	Retain Policy 14:
34.	Natural form and function Policy P23	Support	Part of KiwiRail's rail assets adjoin Te Awarua-o-Porirua and Wellington Harbour (Port Nicholson) and the ferry operations adjoin Wellington Harbour. Protection of those assets from coastal erosion is a key component of the existing asset where planting is not feasible or necessary. As such the words where appropriate should be added to clause (c).	Amend Policy P9 as follows:  The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:  (a) managing activities to reduce sedimentation rates and pollutant inputs, and  (b) managing erosion-prone land and riparian margins in their catchments, and  (c) <u>where appropriate</u> undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.
35.	Natural Character Policy P24	Support with amendment	KiwiRail is concerned with this Policy as no outstanding natural landscapes have been identified and the use of the word avoiding in the policy could amount to a prohibition on appropriate use and development in the coastal marine area.	Amend Policy 24  Areas of outstanding natural character in the coastal marine area will be preserved by:  (a) <u>Protecting, avoiding adverse effects of activities on</u> natural character in areas of the coastal marine area with <u>outstanding natural character</u> <u>by avoiding inappropriate use and development</u> , and  (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and  (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and  (d) maintaining the high levels of naturalness of these areas, <u>and</u>

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36.	Natural hazards Policy P28	Oppose	Hard engineering solutions are often the only practicable method of hazard mitigation for existing and potentially new rail operations or Port facilities. A presumption to avoid hard engineering solutions is entirely inappropriate where there is a functional need and an operational requirement.	<p>(e) <del>avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</del></p> <p>Amend policy 28 as follows:</p> <p><b>Hard engineering</b> mitigation and protection methods shall be avoided except where</p> <p>(a) <del>there is a functional and operational need; or</del></p> <p>(b) <del>it is necessary to protect existing and planned future development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor</del></p>
37.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P31	Support with amendment	<p>KiwiRail is concerned about some of the terminology in the Policy as it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements that dictate works proposed and their location as is often the case with regionally significant infrastructure.</p> <p>Policy 32 which is supported with one exception sets in place a process of avoid first but if you can't then you use a cascade of remedy, then mitigate, then offset. This should be used here also.</p>	<p>Amend Policy P31 as follows</p> <p><del>Aquatic ecosystem health and mahinga kai shall be maintained or restored by</del> <b>Managing in accordance with the process outlined in Policy 32</b> the effects of use and development on physical, chemical and biological processes to:</p> <p>(a) <del>minimise adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and</del></p> <p>(b) <del>minimise adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and coastal habitats, and</del></p> <p>(c) <del>minimise adverse effects on habitats that are</del></p>

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				<p>important to the life cycle and survival of aquatic species, and</p> <p>(d) <del>minimise</del> <b>avoid remedy, mitigate or offset</b> adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</p> <p>(e) <del>minimise</del> <b>avoid remedy, mitigate or offset</b> <u>the creation of creating</u> barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(f) <del>minimise</del> <b>avoid remedy, mitigate or offset</b> adverse effects on riparian habitats and restore them where practicable, and</p> <p>(g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.</p>
38.	Biodiversity, aquatic ecosystem and health mahinga kai Policy P32	Support with Amendment	KiwiRail supports this policy but offsetting should not be restricted to biodiversity.	<p>Amend Policy P32 (d) as follows:</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of <b>biodiversity</b> offsets.</p>
39.	Outstanding water bodies Policy 39	Support with Amendment	KiwiRail supports the intent of the Policy but the policy refers to adverse effects not significant adverse effects. The result is that the word avoid amounts to a potential prohibition on any activity with any adverse effects.	<p>Amend Policy P39 as follows:</p> <p>The <b>significant</b> adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, or <b>remedied, mitigated or offset where avoidance is not practicable.</b></p>
40.	Sites with significant indigenous	Support with Amendment	KiwiRail supports the intent of the Policy but considers that it does not take into account that some use and development may be appropriate. For example the Kaiwharawhara Stream estuary located within the	<p>Amend Policy P40 as follows</p> <p>Protect <b>from inappropriate use and development</b> and restore <b>if required</b> the following ecosystems and habitats with significant indigenous biodiversity values:</p>

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	biodiversity values Policy P40		Commercial Port Area identified in Schedule F4 and within the Commercial Port Area.	
41.	Sites with significant indigenous biodiversity values Policy P41	Support with Amendment	KiwiRail supports this policy but offsetting should not be restricted to biodiversity.	Amend Policy P41 (d) as follows:  (d) where residual adverse effects remain, it is appropriate to consider the use of <b>biodiversity</b> offsets.
42.	Sites with significant indigenous biodiversity values Policy P42	Support with Amendment	KiwiRail supports this policy but offsetting should not be restricted to biodiversity.	Amend Policy P42 (b) as follows:  (b) provide for the enhancement of ecological connectivity between fragmented habitats through <b>biodiversity</b> offsets.
43.	Protection and restoration of sites with significant mana whenua values: Policy 44	Support with amendment	KiwiRail supports this policy but has concerns in that it does not consider circumstances where use and development may be appropriate and / or necessary.	Amend Policy 44  Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected from <b>inappropriate use and development</b> and/or restored.
44.	Stormwater: Policy 73	Support with amendment	While KiwiRail supports the concept of progressive improvements to stormwater quality the policy requires continual minimisation of adverse effects, rather than recognising that these should be minimised to an acceptable level.	Amend Policy 73:  The adverse effects of stormwater discharges shall be minimised to an <b>acceptable degree</b> , including by ...
45.	Primary coastal Policy P132	Support	KiwiRail supports the policy as it recognises regionally significant infrastructure, as having a functional and operational need to be located in the coastal marine area.  The term where appropriate in clause (e) is also supported as there are rail and ferry operations where public use is not appropriate in the interests of health safety and security.	Retain Policy 132
46.	Policy 135	Support	Efficient and safe passage of vessels including Interisland ferries is supported by avoiding inappropriate use and development in navigation protection areas	Retain Policy 132
47.	Structures Policy P138	Support	KiwiRail supports the policy relating to the avoidance of new structures, replacement of a structure or any addition in sites identified in various schedules with the	Support Policy 138

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			exception relating to enabling the development, operation, maintenance and upgrade of regionally significant infrastructure	
	<b>Chapter 5 Rules</b>			
48.	Mobile Sources Rule 33	Support	KiwiRail supports that the discharge of contaminants into air from a mobile source is a permitted activity.	Retain Rule 33.
49.	Contaminated Land and Hazardous Substances Rules R54, R55 and R57	Support	KiwiRail supports Rules R54, R55 and R57 in providing for a framework for discharges from potentially contaminated land.	Retain Rules R54, R55 and R57 in their current form.
50.	Discharges from contaminated land Rule 56	Support with amendment	KiwiRail does not consider it appropriate to include reference to the 'use' of land as this is considered and addressed through the NES provisions. Therefore KiwiRail seek an amendment to the wording, however support the catch-all discretionary activity status.	Amend Rule 56. The use of the land, and discharge of contaminants onto or into land from contaminated land where the discharge may enter water that is not permitted by Rule R54 or Rule R55 is a discretionary activity.
51.	Wastewater from ships and offshore installations Rules 63 and 64	Support	KiwiRail considers it appropriate to include rules controlling the discharge of wastewater from ships.	Retain Rules 63 and 64.
52.	Biofoul cleaning Rule 65	Support with Amendments	KiwiRail operates the Interislander ferries and periodically needs to have organic and inorganic material removed from the hull of the vessels.  The proposed rule would mean that KiwiRail could not continue to clean the vessels in water as it currently does and would potentially have a large impact in relation to fuel consumption and timekeeping of ships if divers were not able to provide a practical methodology to collect any bio fouling removed from the ship.  KiwiRail has had discussions with NZ Dive and Salvage who carry out biofoul cleaning on behalf of Interislander and others. They advised that in terms of current cleaning there needs to be more of a distinction between the types and vessels and the extent of biofouling that can occur.	Amend Rule 65 as follows  The discharge of contaminants and biological material into coastal water from <b>in-water cleaning of biofouling</b> from a vessel, moveable structure or navigation aid, three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, is a permitted activity provided the following conditions are met:  (h) the <b>anti-foul coating</b> on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and  (i) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and

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			<p>What has been proposed is wording changes to provide some consistency with the intentions expressed in the Guidelines, noted in the PNRP already, in relation to the collection of material.</p>	<p>(j) the cleaning of microfouling and goose barnacles of international origin shall be removed using a gentle, non-abrasive cleaning technique, and</p> <p>(k) <u>where the vessel has most recently arrived from an international origin</u> the cleaning or treatment method shall capture any biological material released into the water column greater than 50µm in diameter, with any captured cleaning debris disposed on land, and</p> <p>(l) any captured cleaning debris is appropriately disposed of, and</p> <p>(m) if suspected harmful or unusual aquatic species are found, the vessel owner or operator shall take the following steps:</p> <p>(i) any cleaning activities shall cease immediately, and</p> <p>(ii) the Wellington Regional Council Harbourmaster shall be notified within five working days, and</p> <p>(iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.</p> <p><i>Note</i> For the purposes of Rule R65 guidance is provided in the <i>Anti-Fouling and In-Water Cleaning Guidelines (June 2013)</i>.</p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
53.	All Discharges Rule R67 Other Rule R67	Oppose	<p>The Kaiharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including ferry operations and the values of the Estuary.</p> <p>As all other discharges are treated as a non-complying activity it would have to be assessed under s104D of the Act and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan.</p> <p>Non-complying activity status is unduly onerous for potential discharge activities within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as either a permitted or discretionary activity..</p>	<p>Amend Rule R67</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water:</p> <p>(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites) <b>unless located in the Commercial Port Area, and</b></p> <p>(b) that is not permitted by Rules R42, R43, R44 or R45</p> <p>is a non-complying activity.</p>
54.	Discharge of contaminants Rule 70 Cleanfill material	Support with amendment	<p>There are two aspects of this permitted activity rule which are of concern to KiwiRail.</p> <ul style="list-style-type: none"> <li>• Clause (a) requires that cleanfill material is not located within 20 metres of surface water as the rail network crosses over watercourses, and fill is sometimes required as part of the upgrade or maintenance of structures.</li> <li>• Clause (f) restricts the volume to 100m<sup>3</sup> at a property which is low when 'a property' in KiwiRail circumstances could be multiple hectares in area.</li> </ul> <p>In order to resolve this and considering the need for compliance with Rule 69 and the other clauses within the rule, KiwiRail considers that there should be an exception for maintenance and upgrade of regionally significant infrastructure in clauses (a) and (f).</p>	<p>Amend Rule 70 as follows:</p> <p>The discharge of <b>cleanfill material</b> onto or into land is a permitted activity, provided the following conditions are met:</p> <p>(a) the <b>cleanfill material</b> is not located within 20m of a <b>surface water body</b>, or <b>bore</b> used for water abstraction for potable supply <b>unless it is being utilised to maintain or upgrade Regionally Significant Infrastructure</b>, and</p> <p>(b) the <b>cleanfill material</b> is located to avoid being undermined or eroded by <b>natural processes</b> or being inundated from coastal or river flooding, and</p>


Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
				<p>(c) the <b>cleanfill material</b> shall be 0.6m above the seasonally highest water table, and</p> <p>(d) the <b>cleanfill material</b> shall be managed (siting, design and operation) in accordance with Sections 5-8 in <i>A Guide to the Management of Cleanfills (2002)</i>, and</p> <p>(e) the volume of <b>cleanfill material</b> deposited at a <b>property</b> shall not exceed 100m<sup>3</sup> <u>unless it is being utilised to maintain or upgrade Regionally Significant Infrastructure</u>, and</p> <p>(f) the volume and origin of the <b>cleanfill material</b> and the date the material has been deposited on this <b>property</b>, is recorded using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and</p> <p>(g) the <b>cleanfill material</b> shall be <b>stabilised</b> and re-vegetated within six months of completion of the activity.</p> <p><i>Note</i> Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.</p>
55.	Rule 99	Support with amendment	KiwiRail considers that it is inappropriate for a Regional Plan to control the use of land and the rule should concentrate on the discharge of water from earthworks.	Amend Rule 99 The <del>use of land</del> , and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous area up to 3,000m <sup>2</sup> per property per 12 month period is a permitted activity, provided the following conditions are met. .



Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
56.	Rule 101	Support with amendment	<p>KiwiRail considers that it is inappropriate for a Regional Plan to control the use of land and the rule should concentrate on the discharge of water from earthworks.</p>	<p>Amend Rule 101</p> <p>The <del>use of land, and the</del> discharge of stormwater into water or onto or into land where it may enter water from earthworks or vegetation clearance that is not permitted by Rule R99 or Rule R100 is a discretionary activity.</p>
57.	Beds of lakes and rivers general conditions	Support with Amendment	<p>While KiwiRail supports the general intent of the rule there are some practical limitations in the following General Conditions:</p> <ul style="list-style-type: none"> <li>• Clauses (d) concerning the maintenance of fish passage at all times during construction and;</li> <li>• clause (i) sub clause (ii) about minimising the duration of the diversion of water and that the diversion must be contained within the bed of the river.</li> </ul> <p>Often maintenance is required on culverts where it is necessary to temporarily divert water and therefore temporarily stop existing fish passage particularly where the waterbody is small in width and there are no alternatives within the bed of the river for the diversion to occur. Amendment is sought to allow for short term diversions and to also recognise that some works occur in dry watercourses and therefore no fish passage is available at the time of the works, meaning no benefit is gained from providing it while the works occur.</p>	<p>Amend General Conditions as follows</p> <p>Beds of lakes and rivers general conditions for activities in the beds of lakes and rivers that apply as specified in Rules R112 to R125:</p> <p>(d) structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained <u>where available at the time of the works at all times</u>. This shall include avoiding any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and</p> <p>(n) <u>fish passage, where available at the time of construction, shall only be restricted for a maximum of 4hrs, per day and</u></p> <p>.....</p> <p>(i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall:</p> <p>(i) only be temporary and for a period no longer than that required to complete the activity, and</p> <p>(ii) <del>must be contained within the bed of the river,</del></p> <p>and</p> <p>(iii) must not involve a lake, and</p> <p>(iv) any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring property; and</p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
58.	Activities in beds of lakes and rivers Rule 112	Support	KiwiRail supports the rule which enables the maintenance, repair, replacement, and upgrade of existing structures in on or over the bed of a lake or river as a permitted activity	Retain Rule 112
59.	Activities in beds of lakes and rivers Rule 112	Support	KiwiRail supports the rule which allows new structures in on or over the bed of a lake or river as a permitted activity subject to conditions	Retain Rule 117
60.	Activities in beds of lakes and rivers Rule 118		<p>KiwiRail considers that</p> <ul style="list-style-type: none"> <li>The reference to bed disturbance should be amended to the least amount possible rather than an arbitrary 10m<sup>3</sup>; and</li> <li>Activities in wetlands are managed and regulated by other rules (e.g. rule 104), therefore sub-clause (j) is sought to be deleted.</li> </ul>	<p>Amend Rule 118:</p> <p>The removal or demolition of a structure or a part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated:</p> <ol style="list-style-type: none"> <li>disturbance of the river or lake bed, and</li> <li>deposition on the river or lake bed, and</li> <li>diversion of water, and</li> <li>discharge of sediment to water</li> </ol> <p>is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</li> <li>the removal or demolition of the structure disturbs <u>the least volume and area of the bed as possible, and less than 10m<sup>3</sup> of the bed of the river or lake,</u> and</li> <li>it results in the complete removal of the structure from the river or lake bed, or the complete removal of that part of the structure requiring removal from the river or lake bed, and</li> <li>no explosives shall be used in the demolition of the structure, and</li> </ol> <p><del>the removal or deposition shall not result in the diversion of water from a natural wetland.</del></p>
61.	Reclamation of beds or rivers and lakes – Rule 127	Oppose	For infrastructure of regional significance the application of a non-complying activity status for the piping of a stream, outstanding rivers or Schedule C (mana whenua) sites is onerous. Noting the large number of waterbodies that would be subject to this rule, a discretionary activity status is appropriate for regionally significant infrastructure.	<p>Amend Rule 127:</p> <p><u>Except for reclamation associated with infrastructure of regional significance,</u> <del>The</del> reclamation of the bed, or any part of the bed, of a river or lake:</p> <ol style="list-style-type: none"> <li>associated with the piping of a stream, or</li> <li>in a site identified in Schedule A1 (outstanding rivers),</li> </ol> <p>or</p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
62.	Seawalls R165	Support with amendment	<p>KiwiRail generally supports the addition or alteration to existing seawalls being a controlled activity. However the limitation of 5 metres in horizontal projection is considered too small particularly as KiwiRail has existing seawalls on the vulnerable stretch of modified coast between Ngauranga and Petone, protecting the Interislander ferry terminal and marshalling area within the Commercial Port Area, as well as adjoining the Onepoto arm of Poirua Harbour.</p> <p>KiwiRail considers that this should be increased to 10 metres as a controlled activity.</p>	<p>(c) in a site identified in Schedule C (mana whenua) is a non-complying activity.</p> <p>Amend rule 165 (f) as follows:</p> <p>The addition or alteration to an existing seawall and the associated use of the addition in the coastal marine area, including any associated:</p> <p>.....</p> <p>Is a controlled activity, provided the following conditions are met:</p> <p>(h) any addition shall add no more than <u>10m 5m</u> in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>.....</p>
63.	Seawalls outside of Significance Rule R166	Support with amendment	<p>KiwiRail supports discretionary activity status for larger seawalls outside sites of significance but considers that this should also apply to the whole of the Commercial Port Area.</p>	<p>Amend Rule R166 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>
64.	Seawalls inside of Significance Rule R167	Oppose	<p>The Kaiwharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant</p>	<p>Amend Rule R167 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial</u></p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
65.	Structures in the Commercial Port area Rules 173, 174 and 175.	Support	<p>infrastructure of the operational Port including the ferry and the values of the Estuary.</p> <p>As seawalls inside sites of significance are treated as a non-complying activity it would have to be assessed under s104D of the Act and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. KiwiRail considers that non-complying activity status is unduly onerous for potential additions or alterations to existing seawalls or potential new seawalls within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as either a controlled or discretionary activity.</p> <p>KiwiRail consider it appropriate that there is significant flexibility in the Commercial Port Area for additions and alterations to structures as a permitted activity, for new structures associated with passenger and cargo handling; or as a controlled activity for more significantly sized structures</p>	<p><b>Port Area</b>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>
66.	Disturbance or Damage Rules R194 and R195	Support with amendment	<p>KiwiRail has the same issue with the disturbance and damage rules as it does with others that differentiate between sites within or outside a site of significance. This is in regard to the Kaiwharawhara Stream estuary being within Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas.</p> <p>It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the Commercial Port Area including the ferry and the values of the Estuary.</p>	<p>Retain Rules 173, 174, and 175</p> <p>Amend Rules R194 and R195 as follows:</p> <p><b>Rule R194: Disturbance or damage – discretionary activity</b></p> <p>The disturbance or damage of the foreshore or seabed outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <b>unless located in the Commercial Port Area</b>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>.....</p> <p><b>Rule R195: Disturbance or damage inside sites of significance – non-complying activity</b></p>  <p>Disturbance or damage of the foreshore or seabed inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <b>unless located in the Commercial Port Area</b>,</p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
67.	All other destruction, damage or disturbance Rules R204 and R205	Support with amendment	<p>KiwiRail has the same issue with the all other destruction, damage or disturbance rules as it does with others that differentiate between sites within or outside a site of significance. This is in regard to the Kaiwharawhara Stream estuary being within Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas.</p> <p>It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the Commercial Port Area including the ferry and the values of the Estuary.</p>	<p>Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>.....</p> <p>Amend Rules R204 and R205 as follows:</p> <p><b>Rule R204: Destruction, damage or disturbance outside sites of significance – discretionary activity</b></p> <p>Destruction, damage or disturbance outside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>.....</p> <p><b>Rule R205: Destruction, damage or disturbance inside sites of significance – non-complying activity</b></p> <p>Destruction, damage or disturbance inside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>.....</p>
68.	Reclamation and Drainage Rules R214		<p>KiwiRail has the same issue with the Reclamation and Drainage rules as it does with others that differentiate between sites within or outside a site of significance. This is in regard to the Kaiwharawhara Stream estuary being within Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas.</p> <p>It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the Commercial Port Area including the ferry and the values of the Estuary.</p>	<p>Amend Rules R214 and R215</p> <p><b>Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity</b></p> <p>Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>.....</p>

Submission Point	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
69.	Schedule F4 (Coastal Sites)	Support with amendment	<p>The Kaiwharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including the ferry and the values of the Estuary.</p> <p>With the exception of additions and alterations to existing structures (Rules 173 and 1745) or for new passenger and cargo handling equipment (rule 175) all other relevant rules such as seawalls, reclamations, deposition and disturbance are treated as a non-complying activity. The stream leading to the estuary environment is in large part already culverted or passes through concrete channels, and therefore the immediate area of the stream around the port and ferry facilities has limited value that can be protected by its inclusion in the Schedule. Further change to the area and the consequential values of the estuary is able to be considered through a consent process, however KiwiRail submit this should be a discretionary consent process.</p> <p>Under s104D of the Act for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. Non-complying activity status is unduly onerous for potential activities within the Commercial Port Area and the exclusion of the estuary is sought or an exception relating to sites within the Commercial Port Area in the relevant rule is applied.</p>	<p>Either delete the Kaiwharawhara Stream Estuary from Schedule F4 or make provision within all relevant rules that the exceptions for sites in Schedule F4 does not apply to the Commercial Port Area.</p>

Proposed Natural Resources Plan:

Submitter:

**CentrePort Properties Limited**

Submitter Number:

**S141**





To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz

Wellington Regional Council

25 SEP 2015

### Your details

Full name: CentrePort Properties Limited

Organisation name:  
(If applicable)

Address for Service: CentrePort House, 1 Hinemoa Street, Wellington 6140

P O Box 794, Wellington

Telephone no's: Work: (04)4953855 Home: Cell: 0292003471

Contact person: Neville Hyde

Address and telephone no (if different from above):

### Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: neville.hyde@centreport.co.nz

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

### NOTES

In these submissions reference to;

1. "CentrePort" means CentrePort Properties Limited, and
2. "Lambton Harbour Area" includes reference to the Lambton Harbour (Northern Zone) area as shown on Map 32

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
<p><b>Objectives, policies and rules relating to the development of Waterloo Quay Wharf and Interisland Wharf</b></p>	<p>Reasons for my submission: →</p>	<p>CentrePort considers the Waterloo Quay Wharf and Interisland Wharf are presently unattractive, under utilised, and dilapidated. This situation is likely to continue into the future. Unless these wharves are strengthened they have minimal economic utility, and are likely to deteriorate and pose a health and safety risk. If the wharves were able to be strengthened and developed this would unlock the benefits of their strategic location including in relation to the Harbour Quays development, and the ability to create greater pedestrian and cycle linkages, commercial opportunities and improved amenities. Until such time as redevelopment may occur CentrePort seeks an appropriate planning framework that ensures it is able to continue to use these structures for Port Commercial uses.</p>
	<p>I seek the following decision from WRC (give precise details):</p>	<p>CentrePort seeks amendment to the objectives, policies and rules relevant to the Waterloo Quay Wharf and Interisland Wharf to:</p> <ul style="list-style-type: none"> <li>a) provide for the mixed use redevelopment of the Wharves, the Coastal Marine Area around the Wharves and adjacent land areas for retail, office, residential, short term accommodation/hotel, food/beverage, marine and/or pleasure/commercial boat facility activities, either as a complete change of use or in combination with Port related activities; and</li> <li>b) retain underlying provisions relating to port operations in the Commercial Port Area, until such time as mixed use redevelopment of the Wharves occurs and for as long as they remain utilised for Port related activities. This could be achieved by an overlay mechanism or similar; and</li> <li>c) apply appropriate controls over the redevelopment of the Wharves including such matters as building design and envelopes (including height), provision for open space and access, landscaping etc.</li> </ul> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input checked="" type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
<p><b>Hard engineering*</b></p>	<p>Reasons for my submission: →</p>	<p>CentrePort supports the definition of Hard engineering in the Proposed Natural Resources Plan.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain this definition in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
<p><b>Māori customary use</b></p>	<p>Reasons for my submission: →</p>	<p>The term Maori customary use is very broadly defined. As CentrePort's wharves are located in the Coastal Marine Area, greater clarity is needed as to the activities that constitute Maori customary use.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The definition of Maori Customary use to be further refined to provide clarity as to the activities that fall within the term.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Noise sensitive activities</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the definition of Noise sensitive activities in the Proposed Natural Resources Plan as it is necessary to recognise certain activities such as residential activities are more sensitive to noise.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Port related activities</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort generally supports the definition of Port related activities in the Proposed Natural Resources Plan because it is appropriate to separately identify port related activities in the policy and rule frameworks, but seeks the deletion of the last sentence of the definition as it is unnecessary.
	I seek the following decision from WRC (give precise details): →	Amend this definition by deleting the last sentence of the definition.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Port Noise Control Line</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the definition of Port Noise Control Line in the Proposed Natural Resources Plan because it is appropriate to identify the line at or beyond which the rule controlling the emission of noise from port related activities applies and where the noise from port related activities is monitored.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Reclamation</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the definition of Reclamation in the Proposed Natural Resources Plan so it is clear to all users of the plan that it means the creation of dry land.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
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<b>Regionally significant infrastructure*</b>	Reasons for my submission: →	CentrePort supports the definition of Regionally Significant Infrastructure in the Proposed Natural Resources Plan because it is appropriate to include reference to the Commercial Port Area.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Reverse sensitivity*</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the definition of Reverse sensitivity in the Proposed Natural Resources Plan because it is appropriate to recognise the vulnerability of existing lawfully-established activities to other activities in the vicinity which are sensitive to adverse environmental effects.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Sensitive activity*</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the definition of Sensitive activity in the Proposed Natural Resources Plan because it is an inclusive definition capturing all activities which suffer should they experience adverse effects typically associated with some lawful activities.
	I seek the following decision from WRC (give precise details): →	Retain this definition in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Objective O9: Recreational values</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	The recreational values of the coastal marine area should be maintained and enhanced where appropriate as this will not be everywhere in the coastal marine area.
	I seek the following decision from WRC (give precise details): →	CentrePort seeks amendment of the objective to refer to "where appropriate".  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Objective O12: Benefits of regionally significant infrastructure</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	There is a concern that the Proposed Plan does not adequately recognise the benefits of commercial developments in the coastal marine area.
	I seek the following decision from WRC (give precise details): →	The Plan should recognise the benefits of other commercial infrastructure and developments in the coastal marine area that are not regionally significant infrastructure or renewable energy generation activities.  Amend Objective O12 as follows:

		<p>The social, economic, cultural and environmental benefits of regionally significant infrastructure, <del>and</del> renewable energy generation activities <u>and new commercial development</u> activities are recognised.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Objective O53: Functional need in the coastal marine area</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort considers that the objective needs to be amended so there is no inconsistency with Objective O57 which provides that use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Objective O53 as follows:</p> <p>Use and development in the coastal marine area has a functional need or operational requirement to be located there, <u>unless the use and development is in the Lambton Harbour Area.</u></p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Objective O54: Use and development in the coastal marine area</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this objective.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Objective O54 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Objective O56: New development in the coastal marine area</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this objective because it is appropriate to provide that new development is of a scale, density and design that is compatible with its location in the coastal environment.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Objective O56 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Objective O57: Use and development in Lambton Harbour Area</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this objective because it is appropriate to enable use and development in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Objective O57 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Objective O59: Passage of vessels and aircraft</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this objective as the Proposed Plan needs to ensure that the efficient and safe passage of vessels that support the movement of people, goods and services is provided for in the coastal marine area.
	I seek the following decision from WRC (give precise details): →	Retain Objective O59 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P4: Minimising adverse effects</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort considers that this provision is too restrictive, and does not take into account the benefits of new use and development, and where there are alternative means of addressing adverse effects.
	I seek the following decision from WRC (give precise details): →	Amend Policy P4 as follows:  Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the greatest extent reasonably practicable and shall <u>may</u> include:  (a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and (b) <u>where reasonably practicable</u> , locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and (c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and (d) using good management practices for reducing the adverse effects of the activity, and (e) designing the activity so that the scale or footprint of the activity is as small as practicable, <u>where it is reasonably practicable to minimise adverse effects on identified areas</u> .  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P8: Beneficial activities</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	This policy appropriately recognises that beneficial activities in the coastal marine environment include the maintenance and use of existing structures and the removal of dangerous or derelict structures.
	I seek the following decision from WRC (give precise details): →	Retain Policy P8 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P12: Benefits of regionally significant infrastructure and renewable</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	There is a concern that the Proposed Plan does not adequately recognise the benefits of other commercial developments in the coastal marine area.

<p><b>electricity generation facilities</b></p>	<p>I seek the following decision from WRC (give precise details): →</p>	<p>CentrePort seeks the amendment of this policy as follows:</p> <p>The benefits of regionally significant infrastructure, and renewable energy generation activities, <u>and new commercial developments</u> are recognised by having regard to:</p> <p>(a) the strategic integration of infrastructure and land use, and  (b) the location of existing infrastructure and structures, and  (c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and  (d) the functional need for port activities to be located within the coastal marine area, and  (e) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P24: Outstanding natural character</b></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
	<p>Reasons for my submission: →</p>	<p>CentrePort considers that this policy is too restrictive. As areas of outstanding natural character are yet to be identified, new use and development in the coastal marine area may be restricted by this policy if the area in which development is proposed is later identified as being one of outstanding natural character. If the policy is to be retained in its current form the areas of outstanding natural character should be identified on planning maps.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P24 as follows:</p> <p>Identified areas of outstanding natural character in the coastal marine area will be preserved by:</p> <p>(a) avoiding, adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and  (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and  (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character value of the area, and  (d) maintaining the high levels of naturalness of these areas, and  (e) avoiding, <u>remedying or mitigating</u> the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P27: High hazard areas</b></p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I <b>support</b> the provision  <input type="checkbox"/> I <b>oppose</b> the provision  <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b></p>
	<p>Reasons for my submission: →</p>	<p>This policy is inconsistent with policies that allow use and development in the Lambton Harbour Area, which is also a high hazard area by virtue of being in the coastal marine area. This policy should be amended to recognise that use and development is appropriate in the Lambton Harbour Area.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P27 as follows:</p> <p>Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where:</p> <p>(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and <u>or</u>  (b) the use and development is in the Lambton Harbour Area, and  (c) the development does not cause or exacerbate natural hazards in</p>

		<p>other areas, and</p> <p>(d) interference with natural processes (coastal, fluvial and lacustrine processes) is minimised, and</p> <p>(e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise, are taken into account.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P46: Managing adverse effects on sites with significant historic heritage value</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>CentrePort considers that this provision to manage adverse effects in sites with significant historic heritage values is generally appropriate, given that more than minor adverse effects on 'significant' historic heritage values are to be avoided, remedied or mitigated. However, the listed outcomes may unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P46 so that the listed outcomes do not unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P47: Appropriate demolition</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>CentrePort considers that an amendment to Policy P47 is required so that it does not preclude appropriate redevelopment where the structures are derelict and redundant.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P47 as follows:</p> <p>Demolition or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where the structure is:</p> <p>(a) substantially damaged by fire or natural hazard, and</p> <p>(b) impracticable to repair, or</p> <p>(c) <u>derelict and has no on-going functional or economic use in its present state and/or configuration.</u></p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P132: Functional need and efficient use</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	<p>Reasons for my submission: →</p>	<p>The requirement for there to be a functional need, or operational requirement or no reasonable or practical alternative to locating in the coastal marine area is too restrictive. These provisions unduly restrict appropriate use and development in the Lambton Harbour Area which would otherwise bring important economic, social or cultural benefits to central Wellington.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P132 as follows:</p> <p>Use and development in the coastal marine area shall:</p> <p>(a) have a functional need, or</p> <p>(b) have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or</p> <p>(c) <u>be located in the Lambton Harbour Area, or</u></p> <p>(d) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c):</p>



		<p>(e) only use the minimum area necessary, and</p> <p>(f) be made available for public or multiple use where appropriate, and</p> <p>(g) result in the removal of structures once redundant, and</p> <p>(h) concentrate in locations where similar use and development already exists where practicable.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P133: Recreational values</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort considers that this provision places an unduly onerous obligation on developers to provide for recreational opportunities.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Amend Policy P133 as follows:</p> <p>The adverse effects of use and development in the coastal marine area on recreational values shall be managed <u>where practicable</u> by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P134: Public open space values and visual amenity</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>WRC should develop the content of appropriate controls to maintain visual amenity instead of relying upon the provisions contained in any bordering territorial authorities' proposed and/or operative district plan.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>CentrePort seeks the amendment of Policy P134 to delete the reference to "having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan." and seeks the development of appropriate (including site specific) controls or guidelines.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P135: Safe passage</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this policy as it is necessary to avoid inappropriate use and development in navigation protection areas.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Policy P135 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Policy P136: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort seeks that the Lambton Harbour Area (Northern Zone) is removed from the Hutt Valley aquifer zone. The aquifer zone is too extensive and the restrictions that flow from its identification can only be justified where they are supported by robust science.</p>

	I seek the following decision from WRC (give precise details): →	Retain Policy P136 in its current form. Remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P139: Seawalls</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This policy is unduly restrictive of potential new use and development in the coastal marine area.
	I seek the following decision from WRC (give precise details): →	Amend Policy 139 as follows:  The construction of a new seawall is <u>generally</u> inappropriate except where the seawall is required to protect: <ul style="list-style-type: none"> <li>(a) existing, or upgrades to, infrastructure, <u>reclaimed land or structures</u> or</li> <li>(b) new regionally significant infrastructure, and in respect of (a) and (b):</li> <li>(c) there is no reasonable or practicable alternative means, and</li> <li>(d) it is suitably located, designed and certified by a qualified, professional engineer, and</li> <li>(e) designed to incorporate the use of soft engineering options where appropriate.</li> </ul> CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Policy P142: Lambton Harbour Area</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports provision for appropriate use and development in the Lambton Harbour Area, but seeks amendments to the proposed policy.
	I seek the following decision from WRC (give precise details): →	Amend policy P142(j) to state:  has particular regard to provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design, <u>except in the case of use and development in the Lambton Harbour Area (Northern Zone):</u>  {CentrePort seeks an appropriate height limit(s) be identified and imposed that reflects what can currently occur in this area or what can reasonably be anticipated for redevelopment of the Lambton Harbour Area (Northern Zone).  CentrePort also seeks reasonable building envelopes and provision for site coverage and other controls that are appropriate for this location.]  CentrePort will provide further details regarding the controls it seeks through the planning process.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
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Policy P145: Reclamation, drainage and destruction	Reasons for my submission: →	CentrePort considers that this provision is too restrictive. Reclamation, drainage and destruction within the coastal marine area should not be limited to that associated with regionally significant infrastructure where there are no locations outside of the coastal marine area and no practical alternative methods for providing the activity. The Proposed Plan needs to recognise that other commercial developments in the coastal marine area can bring important economic, social or cultural benefits, and that reclamation, drainage or destruction may be needed in order to provide for those activities.
	I seek the following decision from WRC (give precise details): →	Amend Policy P145 as follows:  Reclamation, drainage or destruction in the coastal marine area shall be avoided except where: <ul style="list-style-type: none"> <li>(a) the reclamation, drainage or destruction is associated with the development, operation, maintenance and upgrade of regionally significant infrastructure <del>(b)</del> and there are no other locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, or</li> <li>(b) <u>the reclamation, drainage or destruction is associated with appropriate use and development in the Lambton Harbour Area (Northern Zone); and</u></li> <li>(c) there are no practicable alternative methods of providing for the associated activity.</li> </ul> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Policy P150: Noise and lighting	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
		Reasons for my submission: →	CentrePort supports the retention of this policy so the general conditions as set out in section 5.7.2 of the Plan apply or by adopting the best practicable option to ensure that the emission of noise does not exceed a reasonable level.
		I seek the following decision from WRC (give precise details): →	Retain Policy P150 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Rule R146: Geotechnical investigation bores – permitted activity	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
		Reasons for my submission: →	There is no reference to the General Conditions in Section 5.7.2 which state that there shall be no disturbance below 0.5m within the Hutt Valley aquifer zone. CentrePort's Waterloo Quay Wharf and Interisland Wharf are both located within the aquifer zone. This will have implications on any developments because the bore depth will be restricted. CentrePort is also concerned that there is insufficient justification for the restriction generally and that the delineation of the extent of the restriction is arbitrary
		I seek the following decision from WRC (give precise details): →	The Lambton Harbour Area (Northern Zone) should be removed from the Hutt Valley aquifer zone and/or that the provision be amended to address the issue raised in the submission.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
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<b>Rule R147: Drilling, construction or alteration of any bore – controlled activity</b>	Reasons for my submission: →	There is no reference to the General Conditions in Section 5.7.2 which states that there shall be no disturbance below 0.5m within Hutt Valley aquifer zone. Waterloo Quay Wharf and InterIsland Wharf are both located within the aquifer zone. This will have implications on any developments because the bore depth will be restricted. CentrePort is also concerned that there is insufficient justification for the restriction generally and that the delineation of the extent of the restriction is arbitrary
	I seek the following decision from WRC (give precise details): →	The Lambton Harbour Area (Northern Zone) should be removed from the Hutt Valley aquifer zone and/or that the provision be amended to address the issue raised in the submission.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R148: Drilling, construction or alteration of any bore – discretionary activity</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	There is no reference to the General Conditions in Section 5.7.2 which states that there shall be no disturbance below 0.5m within the Hutt Valley aquifer zone. Waterloo Quay Wharf and InterIsland Wharf are both located within the aquifer zone. This will have implications on any developments because the bore depth will be restricted. CentrePort is also concerned that there is insufficient justification for the restriction generally and that the delineation of the extent of the restriction is arbitrary
	I seek the following decision from WRC (give precise details): →	The Lambton Harbour Area (Northern Zone) should be removed from the Hutt Valley aquifer zone and/or that the provision be amended to address the issue raised in the submission.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Coastal management general conditions: Disturbance (a) – (d)</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Sub-section (c) states that there is to be no disturbance of the foreshore and seabed to a depth greater than 0.5m below the seabed and foreshore within the Hutt Valley aquifer zone as shown on Map 30. The entirety of Wellington Harbour has been designated as an aquifer zone, including CentrePort's two wharves Waterloo Quay Wharf and InterIsland Wharf. This limitation will restrict any developments of CentrePort's wharves. CentrePort is also concerned that there is insufficient justification for the restriction generally and that the delineation of the extent of the restriction is arbitrary
	I seek the following decision from WRC (give precise details): →	The Lambton Harbour Area (Northern Zone) should be removed from the Hutt Valley aquifer zone and/or that the provision be amended to address the issue raised in the submission .  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Coastal management general conditions: Noise in the coastal marine area (p) – (t)</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The minimum performance standards in the Lambton Harbour Area (Northern Zone) for habitable buildings containing noise sensitive activities should be the same as those in the Commercial Port Area.
	I seek the following decision from WRC (give precise details): →	Retain provisions for noise in current form.  CentrePort seeks such further, consequential or alternative relief as may be

	necessary, desirable, or appropriate to give effect to the decision sought.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R149: Maintenance or repair of structures – permitted activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this rule as it is appropriate to provide for some maintenance and repair as a permitted activity.
	I seek the following decision from WRC (give precise details): →	Retain Rule R149 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R150: Minor additions or alterations to structures – permitted activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this rule as it is appropriate to provide for some maintenance and repair as a permitted activity.
	I seek the following decision from WRC (give precise details): →	Retain Rule R150 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R151: Additions or alterations to structures – controlled activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this rule.
	I seek the following decision from WRC (give precise details): →	Retain Rule R151 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R152: Removal or demolition of structures or part of a structure – permitted activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this rule.
	I seek the following decision from WRC (give precise details): →	Retain Rule R152 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R153: Removal or demolition of a structures or part of a structure – restricted discretionary activity</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort considers when determining if removal or demolition of a structure is appropriate consideration should also be given to the purpose and benefits of the removal or demolition.
	I seek the following	CentrePort seeks the following additional matters of discretion:

	decision from WRC (give precise details): →	Removal or demolition is for the purpose of appropriate development in the Lambton Harbour Area (Northern Zone);  Positive effects on the Lambton Harbour Area.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R154: New temporary structures outside sites of significance – permitted activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this rule to enable temporary structures.
	I seek the following decision from WRC (give precise details): →	Retain Rule R154 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R155: New temporary structures – restricted discretionary activity</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort considers when determining if new temporary structures are appropriate consideration should also be given to the purpose and benefits of them.
	I seek the following decision from WRC (give precise details): →	CentrePort seeks the following additional matters of discretion:  New temporary structure is for the purpose of appropriate development in the Lambton Harbour Area (Northern Zone);  Positive effects on the Lambton Harbour Area.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R161: New structures, additions or alterations to structures outside sites of significance – discretionary activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports a discretionary activity rule to enable applications for new structures, or additions or alterations to existing structures.  CentrePort considers the Waterloo Quay Wharf and InterIsland Wharf are operationally redundant, and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. If the wharves were able to be redeveloped this would unlock the benefits of their strategic location including in relation to the Harbour Quays development area and the rest of the Lambton Harbour Area, facilitate appropriate commercial development and enhance the ability to create improved pedestrian and cycle linkages.
	I seek the following decision from WRC (give precise details): →	Retain Rule 161 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
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<b>Rule R163: Replacement of structure or parts of structures – permitted activity</b>	Reasons for my submission: →	This provision should be amended so that it applies to redevelopment of the wharves Lambton Harbour Area (Northern Zone).
	I seek the following decision from WRC (give precise details): →	This provision should be amended so that it applies to redevelopment of the wharves in the Lambton Harbour Area (Northern Zone).  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<b>Rule R164: Replacement of structures – restricted discretionary activity</b>	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	My submission on this provision is: →	CentrePort supports a restricted discretionary activity rule to enable applications for replacement of structures.
	Reasons for my submission: →	CentrePort considers the Waterloo Quay Wharf and Interisland Wharf are operationally redundant, and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. If the wharves were able to be redeveloped this would unlock the benefits of their strategic location including in relation to the Harbour Quays development area and the rest of the Lambton Harbour Area, facilitate appropriate commercial development and enhance the ability to create improved pedestrian and cycle linkages.
	I seek the following decision from WRC (give precise details): →	Delete the reference in condition (f) to Schedule E1 (heritage structures).  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<b>Rule R166: Seawalls outside sites of significance – discretionary activity</b>	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	My submission on this provision is: →	CentrePort supports the retention of this rule as the Proposed Plan should enable applications for seawalls as discretionary activities as sometimes this is necessary to support appropriate developments.
	Reasons for my submission: →	CentrePort supports the retention of this rule as it is appropriate to provide for some alteration to heritage structures as a permitted activity.
	I seek the following decision from WRC (give precise details): →	Retain Rule R166 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<b>Rule R168: Alteration of structures identified in Schedule E2 or Schedule E3 – permitted activity</b>	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	My submission on this provision is: →	CentrePort supports the retention of this rule as it is appropriate to provide for some alteration to heritage structures as a permitted activity.
	Reasons for my submission: →	CentrePort supports the retention of this rule as it is appropriate to provide for some alteration to heritage structures as a permitted activity.
	I seek the following decision from WRC (give precise details): →	Retain Rule R168 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<b>Rule R169: Additions or alterations to structures identified in Schedule E1 and or Schedule E2 – restricted discretionary</b>	The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	My submission on this provision is: →	CentrePort considers when determining if additions or alterations to heritage structures are appropriate consideration should also be given to the purpose and benefits of the additions and alterations.
	Reasons for my submission: →	CentrePort considers when determining if additions or alterations to heritage structures are appropriate consideration should also be given to the purpose and benefits of the additions and alterations.

activity	I seek the following decision from WRC (give precise details): →	CentrePort seeks the following additional matters of discretion:  Whether or not the additions or alterations are for the purpose of appropriate development in the Lambton Harbour Area (Northern Zone);  Positive effects on the Lambton Harbour Area.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports the retention of this rule to enable additions or alterations to heritage structures.  CentrePort considers the Waterloo Quay Wharf and InterIsland Wharf are operationally redundant and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. Until the wharves are able to be redeveloped the ability to effect additions and alterations remains..
	I seek the following decision from WRC (give precise details): →	Retain Rule R171 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R172: Removal, demolition or replacement of a structure or part of a structure identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports the retention of this rule.  CentrePort considers the Waterloo Quay Wharf and InterIsland Wharf are operationally redundant, and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. If the wharves were able to be redeveloped this would unlock the benefits of their strategic location including in relation to the Harbour Quays development area and the rest of the Lambton Harbour Area, facilitate appropriate commercial development and enhance the ability to create improved pedestrian and cycle linkages.
	I seek the following decision from WRC (give precise details): →	Retain Rule R172 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R173: Additions or alterations to structures inside the Commercial Port Area – permitted activity</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort considers it is appropriate that specified additions or alterations to structures inside the Commercial Port Area are permitted activities to facilitate the ongoing efficient operation of the Port. For the avoidance of doubt, this includes application of permitted activity rules to the Waterloo Quay Wharf and the Inter-Island Wharf (also known as the Railway Wharf) in the Lambton Harbour Area (Northern Zone) for as long as they remain utilised for port operations.
	I seek the following decision from WRC (give precise details): →	Retain Rule R173 in its current form, or amend to be consistent with Rules 6, 10, and 12 in Section 6.3 of the Operative Regional Coastal Plan.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R174: Additions or alterations to structures inside the Commercial Port Area – controlled activity</b>	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort considers it is appropriate that specified additions or alterations to structures inside the Commercial Port Area are controlled activities to facilitate the ongoing efficient operation of the Port. For the avoidance of doubt, this includes application of controlled activity rules to the Waterloo Quay Wharf and the Inter-Island Wharf (also known as the Railway Wharf) in the Lambton Harbour Area (Northern Zone) for as long as they remain utilised for port operations.
	I seek the following decision from WRC (give precise details): →	Retain Rule R174 in its current form, or amend to be consistent with Rule 13 in Section 6.3 of the Operative Regional Coastal Plan.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R183: Renewal of existing resource consents for occupation of space by structures – controlled activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports controlled activity status for the renewal of existing resource consents for occupation of space by structures given the significant investment in such structures and the operations they support.
	I seek the following decision from WRC (give precise details): →	Retain Rule R183 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R184: Occupation of space – discretionary activity</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort considers discretionary activity status is appropriate for occupation of space in the coastal marine area which is otherwise not permitted.
	I seek the following decision from WRC (give precise details): →	Retain Rule R184 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Rule R186: General surface water and foreshore activities – restricted discretionary</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports the retention of this rule
	I seek the following decision from WRC (give precise details): →	Retain Rule R186 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
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Rule R196: Motor vehicles – permitted activity	Reasons for my submission: →	CentrePort supports the retention of this rule.
	I seek the following decision from WRC (give precise details): →	Retain Rule R196 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R197: Motor vehicles for certain purposes – permitted activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort considers the amendment of this rule is appropriate to allow for use and development in the Lambton Harbour Area.
	I seek the following decision from WRC (give precise details): →	Amend Rule R197 as follows:  The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes: <ul style="list-style-type: none"> <li>(a) surf lifesaving operations, or</li> <li>(b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</li> <li>(c) local authority activities, including law enforcement, or</li> <li>(d) the maintenance, upgrade and operation of regionally significant infrastructure <u>or</u></li> <li>(e) <u>use and development in the Lambton Harbour Area (Northern Zone).</u></li> </ul> is a permitted activity, provided the following conditions are met: <ul style="list-style-type: none"> <li>(f) the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and</li> <li>(g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</li> </ul> CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R204: Destruction, damage or disturbance outside sites of significance – discretionary activity	My submission on this provision is: →	<input checked="" type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort supports the retention of this rule because at times it is necessary for sites to be disturbed or damaged to facilitate development.
	I seek the following decision from WRC (give precise details): →	Retain Rule R204 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	CentrePort considers this rule should be amended to provide for appropriate development in the Lambton Harbour Area (Northern Zone).
	I seek the following decision from WRC (give precise details): →	Amend Rule R214 as follows:  Reclamation and drainage for <b>regionally significant infrastructure activities</b> and development inside the Lambton Harbour Area (Northern Zone) outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated: <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) destruction of the foreshore or seabed, and</li> </ul>

		<p>(c) disturbance of the foreshore or seabed, and  (d) deposition in, on or under the foreshore or seabed, and  (e) discharge of contaminants, and  (f) diversion of open coastal water  is a discretionary activity.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Rule R215: Reclamation and drainage – non-complying activity</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort considers reclamation and drainage should be assessed as discretionary activity not non-complying.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Delete Rule R215.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Rule R216: Destruction – non-complying activity</b></p>	<p>My submission on this provision is: →</p>	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort considers destruction of the foreshore and seabed should be assessed as discretionary activity not non-complying.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Delete Rule R215.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Rule R217: Planting – permitted activity</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this rule as appropriate planting should be enabled under the Proposed Plan.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Rule R217 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):</p> <p><b>Rule R218: Planting – discretionary activity</b></p>	<p>My submission on this provision is: →</p>	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>CentrePort supports the retention of this rule because if the permitted activity standards cannot be complied with then planting should be assessed as a discretionary activity.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Retain Rule R218 in its current form.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Method M23: Archaeological discovery protocols</b>	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the retention of this method.
	I seek the following decision from WRC (give precise details): →	Retain Method 23 in its current form.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Schedules C, F4, F5, and J</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	It does not appear that the Inter-Island (Railway) Wharf and the Waterloo Quay Wharf are identified in Schedule C (mana whenua), Schedule F4 (coastal sites), and Schedule J (geological). It is not clear whether the wharves are listed in Schedule F5 (coastal habitats) as these areas are not mapped. If the wharves are included in any of these schedules then CentrePort considers they should be removed.
	I seek the following decision from WRC (give precise details): →	Remove Railway Wharf and Waterloo Quay Wharf and the underlying and adjacent coastal marine area from Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), and Schedule J (geological), and all associated maps if these are considered to apply to the wharves.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Schedule E: Sites with significant historic heritage values</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort considers that development of the Inter-Island (Railway) Wharf and the Waterloo Quay Wharf is appropriate, particularly as these are located in the Lambton Harbour Area (Northern Zone) and Commercial Port Area.
	I seek the following decision from WRC (give precise details): →	Remove Railway Wharf and Waterloo Quay Wharf from Schedule E2: Historic heritage (wharves and boatsheds) and all associated maps.  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Schedule E: Sites with significant historic heritage values</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort considers that if the amendment to remove the Inter-Island (Railway) Wharf and the Waterloo Quay Wharf from Schedule E2 is not achieved, the descriptions of these wharves need to be amended as they currently overstate the historical significance of the wharves.
	I seek the following decision from WRC (give precise details): →	If Railway Wharf and Waterloo Quay Wharf are not removed from Schedule E2: Historic Heritage (wharves and boatsheds) then:  Amend the 'Significant values' description of Railway Wharf to read:  'Railway Wharf is a structure of some historic significance-value, as the second deep-water wharf built in Wellington, and with a long and varied history as trading ship berthage, a coal wharf, and later as an inter-island ferry terminal.'

		Amend the 'Significant values' description of Waterloo Quay Wharf to read  'Waterloo Quay Wharf is a structure of some antiquity and historic significance <u>heritage value</u> , based mainly on its 19th and 20th century uses.'  CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <b>Map 32: Commercial port, Lambton Harbour Area &amp; noise control lines – Lambton Harbour</b>	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	CentrePort supports the inclusion of the area surrounding and including the Waterloo Quay Wharf and the Inter-Island Wharf (also known as the Railway Wharf) in the Lambton Harbour Area (Northern Zone), but also seeks to apply the Commercial Port Area to the wharves for as long as they remain utilised for port operations .
	I seek the following decision from WRC (give precise details): →	<p>Retain the incorporation of the Waterloo Quay Wharf and the Inter-Island Wharf (also known as the Railway Wharf) in the Lambton Harbour Area (Northern Zone).</p> <p>Add the Commercial Port Area as an overlay on the Waterloo Quay Wharf and the Inter-Island Wharf (also known as the Railway Wharf) and adjoining areas.</p> <p>CentrePort seeks such further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.</p>

If you have more submissions you wish to make, please find more boxes at the bottom of this document

#### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

#### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



#1529648

## Monica Seevens

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**From:** Regional Plan  
**Sent:** Tuesday, 20 October 2015 11:29 a.m.  
**To:** Caroline Ammundsen; Records  
**Cc:** Regional Plan  
**Subject:** FW: Proposed Natural Resources Plan

Hey Caro and Records,

Please see below an update required on the CentrePort Properties Ltd submission. I have replied and acknowledged we will incorporate change (but not sure how to do this), whether to attach it to their original submission document so that the two sit side by side. I am guessing this may have been updated in Spoken. Any questions please ask.  
Thanks Sam

**From:** Regional Plan  
**Sent:** Tuesday, 20 October 2015 11:23 a.m.  
**To:** Neville Hyde; Regional Plan  
**Cc:** Nigel Corry; Andrew Beatson; Nick Wareham  
**Subject:** RE: Proposed Natural Resources Plan

Neville, thank you very much for your email. We will ensure that the information you have provided below replaces what is currently entered in our system. If there is any uncertainty or clarification required we will contact you further.

Kind regards Sam

**Sam Wren** | Team Administrator, People and Customer  
**GREATER WELLINGTON REGIONAL COUNCIL**  
*Te Pane Matua Taiao*  
Shed 39, 2 Fryatt Quay, Pipitea, Wellington 6011 | PO Box 11646, Manners St, Wellington 6142  
T: 04 830 4032  
[www.gw.govt.nz](http://www.gw.govt.nz)  
Hours: Monday to Friday 10am to 2pm

**From:** Neville Hyde [<mailto:Neville.Hyde@centreport.co.nz>]  
**Sent:** Tuesday, 20 October 2015 9:41 a.m.  
**To:** Regional Plan  
**Cc:** Nigel Corry; Andrew Beatson; Nick Wareham  
**Subject:** Proposed Natural Resources Plan

In reviewing our submission on the Proposed Natural Resources Plan for the purpose of addressing material for presentation at a future submission hearing, we have noted an error in our requested decision relative to "Rule R164:Replacement of structures – restricted discretionary activity".

Whilst the submission correctly details the reasons for the submission on R164 the decision sought by CentrePort Properties Ltd incorrectly refers "Delete the reference in condition (f) to Schedule E1 (heritage structures)" and should read "**Delete the reference in condition (f) to Schedule E2 (wharves and boatsheds)**" In all other respects the submission remains unchanged.

We would appreciate your acceptance of this correction to our submission and for the notified summary of submissions to contain the corrected outcome sought by CentrePort Properties Ltd.

Regards

**Neville Hyde** | Corporate Advisor

CENTREPORT PROPERTIES LIMITED, HINEMOA STREET, PO BOX 794, WELLINGTON 6140, NEW ZEALAND  
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[We welcome you to take a virtual tour of CentrePort Wellington](#)

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Proposed Natural Resources Plan:

Submitter:

**New Zealand Fire Commission and  
Wellington Rural Fire Authority**

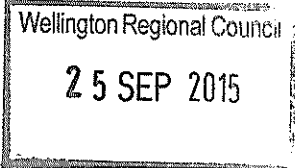
Submitter Number:

**S142**



## FORM 5

# SUBMISSION ON THE PROPOSED WELLINGTON NATURAL RESOURCES PLAN



To: Greater Wellington Regional Council  
Submission on: Proposed Natural Resources Plan for the Wellington Region

Name of submitter: This is a joint submission made by:

- The New Zealand Fire Service Commission (the NZFS Commission) which represents the interests of both the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA), and
- The Wellington Rural Fire Authority and the Wairarapa Rural Fire Authority

Address for service: C/- Beca Ltd  
PO Box 3942  
WELLINGTON 6140

Attention: Claire Fell

Phone: 04 901 2381

Email: Claire.fell@beca.com

### Background:

This is a submission on the Proposed Natural Resources Plan for the Wellington Region made on behalf of the New Zealand Fire Service Commission (NZFS Commission), which represents the interests of both the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA). This submission is also made on behalf of both the Wellington and the Wairarapa Rural Fire Authorities. Collectively, these parties will be referred to as 'the Submitters' throughout this submission.

The NZFS and the NRFA are managed by the overarching NZFS Commission. The NZFS trains for and responds to mainly structural fires whereas the NRFA supports local RFAs in training for and responding to rural wildfires. Both the NZFS and the NRFA (through supporting RFAs) operate at regional levels with the overall goal to protect people, their property, the communities of New Zealand and the environment from the consequence of unwanted fires.

The NZFS Commission submitted feedback on the Draft Natural Resources Plan with the aim of enabling the NZFS to carry out its requirements under the Fire Service Act 1975 more effectively in the protection of lives, property and the surrounding environment. This formal submission talks to the matters that were raised in the initial submission as well as some additional matters relating to activities required to be undertaken to enable effective firefighting training and emergency response. This formal submission has also been expanded to include

the interests of the NRFA and Wellington and Wairarapa RFAs, as all these parties undertake similar activities, albeit for different purposes.

The NZFS Commission would like to thank Greater Wellington Regional Council for including the majority of the requests made with its submission on the Draft Natural Resources Plan. This submission focuses on minor adjustments to the provisions requested in the submission on the Draft Plan. It also includes some new requested provisions which address the requirements of the Submitters to undertake certain training exercises in order to be prepared for emergency response. The Submitters are happy and willing to work with Greater Wellington Regional Council to discuss the issues raised in this submission as the review process progresses.

**The specific parts of the Proposed Natural Resources Plan that this submission relates to are:**

The provisions which affect the Submitters' responsibilities in protecting communities from the effects of unwanted fire, including:

- Discharges to air relating to live burns undertaken for training purposes;
- Water takes undertaken for both training and emergency response purposes;
- Discharges to land and water associated with both training and emergency response activities.

**Reason for submission:**

In achieving the sustainable management of natural and physical resources under the RMA 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. The NZFS Commission has a responsibility under the Fire Service Act 1975 to provide for structural firefighting activities in a safe, effective and efficient manner. As such, the NZFS Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

The NRFA operate under the Forest and Rural Fires Act 1977 to provide for forest and rural land protection from the consequences of fires. The Wellington Rural Fire Authority and the Wairarapa Rural Fire Authority manage the responsibilities of the NRFA within the Greater Wellington Region.

In order to effectively fulfil the emergency response responsibilities above, the Submitters require the ability to undergo training exercises to train personnel in emergency preparedness and firefighting skills. Further details on what this training involves and the importance of the skills learned as a result are set out in further detail below.

### Live fire training

Live fire training is a practice which involves setting fire to an existing structure in a controlled setting for the purposes of training NZFS personnel. NZFS personnel work in dangerous environments where their safety and the success of their actions is determined by training, PPE (Personal Protective Equipment) and the most appropriate selection of fire suppression tools and medium application.

While 'cold' training provides education on the procedures to be followed, there is no other form of training that gives students the experience they will require in real life scenarios than live fire training. Live fire training is an extremely beneficial training medium as it allows operational firefighters to study fire development and behaviour and to practice various suppression techniques and tactics in a controlled and safe environment.

Modern construction methods and materials have changed the way that fires react and therefore the conditions that firefighters are faced when attending a fire emergency. Live fire training allows the NZFS to replicate some of these conditions; in particular the unvented fire and partially vented fire conditions that are encountered with modern construction.

In addition, NZFS policy requires that all fire incidents attended by the NZFS be investigated to establish the cause of the fire. In certain incidents, a specialist investigation is required to be undertaken by officers with the appropriate qualifications, training and experience to be considered as Specialist Fire Investigators. On occasion, these Specialist Fire Investigators may be called to provide expert opinion of investigations carried out to Criminal, Coronial and Civil courts of law. Therefore, the ability to carry out or observe demonstrations, reconstructions, and experiments involving live fire burning is a vital component in the development and upkeep of expertise and credibility for Specialist Fire Investigators.

The location of a live fire training exercise may be within an urban or a rural setting, depending on where a property becomes available for this purpose. For this reason, the NZFS requires the ability to carry out live burns in both urban and rural locations.

NZFS training staff are acutely aware of air quality issues and undertake live burning exercises with absolute regard to keeping contaminant release to the minimum for the briefest period of time possible. The ability to conduct live fire training also aids in ensuring that NZFS personnel are better equipped to deal with actual fire emergencies with the aim of extinguishing these fires in a more efficient and expeditious manner. The NZFS Commission believes that this ability results in a net overall reduction of fire-borne contaminants throughout an air shed.

### Equipment training – water extraction

For all the Submitters, the ability to source water and use it in an effective manner to extinguish a fire is crucial to a fire emergency response. In order to ensure that an emergency response is undertaken as efficiently and effectively as possible, all the Submitters undertake training exercises on the use of pumps and hoses in extracting water from surface water bodies.

The Wellington RFA has four volunteer rural fire forces which on average each conduct training once a month where they would source water from a surface water body. The Wairarapa RFA has eight volunteer rural fire forces which would each undertake training at a similar frequency. Each training session involves on average up to 1 hour of actual water pumping. This equates to around 12 hours of pumping in total per month undertaken by the Wellington and Wairarapa RFAs.

In addition, local Wellington Department of Conservation staff and Greater Wellington Regional Council parks staff undertake training but would source water from a surface water body for training purposes on an annual basis only.

The NZFS rarely uses water from an open water source; however it does on occasion use either portable pumps or fire trucks for training.

Training exercises can involve a range of equipment with varying pressure ratings, as set out below. It is noted that the amounts below are maximum calculations; however the equipment is rarely utilised to its full capacity over the length of a training session, making the volume of actual takes lower than those set out in the table below. The fire truck pumps are also rarely used, and then not to their full capacity and only in a water body that can support the rate of take.

Pump Type	Rate of take	Total volume of take over 1 hour (m <sup>3</sup> )
High Pressure Low Volume	1.66L/sec	6m <sup>3</sup>
Low Pressure Medium Volume	5L/sec	18m <sup>3</sup>
Medium Pressure Medium Volume	8.33L/sec	30m <sup>3</sup>
NZFS Iveco-type truck	31L/sec	112m <sup>3</sup>
NZFS Scania-type truck	56L/sec	202m <sup>3</sup>

Locations for these training exercises are carefully selected. Solid, secure and clear access to the water is important in terms of transporting equipment to the site. Locations are also selected in places which will be out of the way of the general public as much as possible, to protect their health and safety and so as to not create a conflict of waterway usage. At the same time, the Submitters are mindful of the impact of training exercises on ecological values, and sensitive environments are also avoided. Locations within areas of high ecological value are often impractical and too difficult to access easily anyway. Saltwater can at times be used for training purposes; however during these exercises water is always accessed via a hardstand (i.e. a wharf or jetty) with no disturbance to the banks or beds of water bodies. A careful assessment of potential locations for training during periods of low flow and drought is also undertaken. Practically, any water bodies that do not contain a depth, volume and rate of flow

that allow for an effective training session will be avoided. Groundwater is not utilised for training purposes.

Training involves the taking of water from a water body and the discharge of this water to land adjacent to the water body. At times firefighting foam is used in training exercises, to learn how to effectively use it during an actual emergency event. All efforts are made to avoid the direct discharge of foam to water. The firefighting foam utilised is typical of foam used throughout the world. It is eco-toxic in concentrated form, but when diluted it is not harmful (efforts are being made to produce a foam that is not hazardous at all; however this technology is still some years away). The Submitters are confident that training exercises involving foam are capable of meeting the requirements of proposed Rule 42 which manages the permitted discharge of contaminants into water, or onto or into land where it may enter water.

Pump testing also takes place periodically outside of training events. In terms of discharges, this involves a discharge of water to water only.

Detail on the submission points of the Submitters and further detail on the reason for the submission is provided in the table below.

**The Submitters seek the following decision from Greater Wellington Regional Council:**

Amend the Proposed Natural Resources Plan to provide for the operational requirements of the Submitters in a way that enables the safety and wellbeing of the Wellington Region through protection from fire (as set out in the table below).

- The Submitters wish to be heard in support of their submission.
- If others make a similar submission, the Submitters will not consider presenting a joint case with them at the hearing.
- The Submitters could not gain an advantage in trade competition through this submission.



.....  
(Signature of person authorised to sign on behalf of the Submitters)

25/09/2015  
.....

Date

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
<b>Definitions</b>			
Surface water body	Support	The Submitters support the exclusion of fire fighting water storage ponds within the surface water definition.	Retain reference to exclusion of fire fighting storage ponds within the definition of <i>Surface water body</i> .
New Definition – ‘ <i>Firefighter training</i> ’		The Submitters request the inclusion of a definition for firefighter training within the Chapter 2 to provide clarity around what types of activities are covered under firefighter training exercises.	Addition of Definition: <u>Firefighter Training</u> - <u>The activities that the New Zealand Fire Service, Rural Fire Authorities and any other Fire Brigade undertake to train their personnel for emergency preparedness. Such activities include live burns, and pump training in surface water bodies.</u>
<b>Beneficial Use and Development</b>			
Policy 7 - uses of land and water	Support in Part	The Submitters support in part the inclusion of Policy 7 which states that the cultural, social and economic benefits of using land and water for fire fighting shall be recognised. The Submitters view this policy as fundamental to any new development within the Wellington Region. The inclusion of the term “shall be recognised” is also supported. The Submitters request that the role of firefighter training in providing cultural, social and economic benefits through equipping firefighters to effectively respond to a fire emergency also be recognised through this Policy.	Amend Policy 7 to state: <u>The cultural, social and economic benefits of using land and water for:</u> ... <u>i) firefighting and firefighter training, and</u> ... <u>shall be recognised</u>
<b>Air Quality</b>			
Policy 56 - Outdoor	Support	The Submitters note the inclusion of the firefighter training provisions within the air quality rules, but note that there is no	Retain Policy 56.



Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
burning		guiding policy to direct this specific rule. However, when undertaking training exercises, the Submitters are able to fulfil the outcome sought in Policy 56 through implementing best practice management for minimising smoke during a fire. The training exercises also show firefighters how to implement different techniques for effectively extinguishing a fire in an emergency.	
Rule 3: Outdoor burning for firefighter training – permitted activity	Support	Practical structural firefighter training is essential for firefighters to gain knowledge and experience for emergency events and reduce endangering firefighter safety during a real fire event. Controlled structure burns for firefighter training can also reduce the amount of contaminants discharged to air through the effective use of fire intensity.	Retain Rule 3.
Rule 5: Outdoor burning of specified materials – prohibited activity	Support	The Submitters support the exemption of firefighter training within Rule 5 for the discharge of contaminants to air resulting from the burning of specified materials. This allows firefighter training to be undertaken using materials that may be found in a fire emergency. It is noted that the Submitters do take measures to consider the environmental impacts of the materials that will be burned in a training event; for example asbestos is always removed prior to a live burn being undertaken on a structure.	Retain Rule 5.
<b>Discharges to Water</b>			
Rule 42 - Minor Discharges - Permitted Activity	Support in Part	The Submitters seek to amend Rule 42 to exclude discharges of contaminants resulting from firefighting during emergencies. When attending a fire, it is the Submitters' highest priority to extinguish the fire as soon as possible. It is often unknown what contaminants are contained on site. While every effort is taken to minimise the associated effects of firefighting, there is the potential for contaminants originating from the site of the fire to	Amend Rule 42 to state:  <i>The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:</i>

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
		<p>be discharged to either or both land and water as a result of firefighting. In order to ensure that the Submitters are able to undertake emergency responses effectively without being penalised for associated environmental effects, this amendment is sought.</p> <p>It is noted that discharges produced by firefighter training activities are expected to be able to comply with Rule 42.</p>	<p>...</p> <p>Except that the discharges of contaminants produced by emergency firefighting activities undertaken by the <u>New Zealand Fire Service, Rural Fire Authorities and any other Fire Brigade are exempt from standards (a) to (e).</u></p>
Rule 43 - Water to Water - Permitted Activity	Support	<p>At times the Submitters test their pumps to ensure they are operating correctly. This involves water being run through the pump and being discharged immediately back into the same water body. The Submitters support proposed Rule 43 in allowing this activity to be permitted subject to reasonable standards.</p>	Retain Rule 43.
Taking, using, damming and diverting water	Support	<p>The Submitters support the exemption within Policy 111 to allow water to be taken for firefighting purposes during periods of low flows, as is provided for in section 14 of the RMA. This provides recognition that the Submitters are able to carry out their operational requirements during an emergency situation even when there is a water restriction in place.</p>	Retain Policy 111.
Policy 112 - Priorities in drought and serious water storage	Support	<p>The Submitters support the exemption within Policy 112 to allow water to be taken for firefighting purposes during periods of serious water shortages, as is provided for in section 14 of the RMA.</p>	Retain Policy 112.
Rule 136 - Take and use of water - Permitted Activity	Support	<p>It is crucial that the Submitters are allowed to utilise surface and/or groundwater as available when responding to a fire emergency. The Submitters support the note at the end of Rule 136 which recognises that taking water for firefighting purposes</p>	Retain the Note at the end of Rule 136.

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
<p>New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i></p>		<p>is enabled under section 14 of the RMA.</p> <p>The rules as currently proposed do not provide for water takes from surface water for the purposes of firefighter training (as opposed to 'firefighting purposes', the intent of this phrase being to apply to emergency actions only). Firefighter Training (as described in the section above) is unable to comply with Proposed Rule 136(a). While the volume taken per training event is comparable to that allowed daily under 136(a), the rate of take is higher than that permitted. Additionally, it would be difficult to calculate water takes for firefighter training against 136(a), as training is typically undertaken from a public space rather than on private property. Firefighter training activities play a vital role in contributing to 'firefighting purposes' (i.e. emergency response), by ensuring that the Submitters' personnel are as equipped and prepared as possible to effectively respond to a fire emergency. Given this importance, the Submitters request that a specific rule be inserted into the Proposed Plan to allow for water takes associated with firefighter training as a permitted activity, subject to manageable standards that ensure that any effects on flow rates and ecology are minor. It is also noted that, in addition to this requested rule, firefighter training activities are required to, and are capable of complying with, Rule 124 which manages entry or passage over beds of lakes and rivers.</p>	<p>Addition of new rule to Water Allocation chapter 5.6 as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></p> <p>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>
<p><b>Coastal Management</b></p>			
<p>Rule 197 - Motor vehicles for certain purposes – permitted activity</p>	<p>Support</p>	<p>The Submitters support Rule 197 as there can be circumstances where access by firefighting appliances to coastal areas will be required in order to effectively respond to an emergency. This rule allows for reasonable access without the need to apply for a</p>	<p>Retain inclusion of motor vehicles for firefighting within Rule 197.</p>



Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
retrospective resource consent.			
<b>Ruamāhanga Whaitua</b>			
New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		<p>The Submitters note that separate provisions are being proposed for each catchment, or 'Whaitua'. The Submitters are concerned about the ability for the Plan to remain consistent when being applied to the same activity taking place across the Region, if separate rules are created for each catchment. The Submitters request that either the rule set out here is inserted into each Whaitua chapter to ensure the ability to carry out Fire Training across the Region, or the structure of the Plan is reconsidered to include overarching rules that apply across the Region.</p>	<p>Addition of a rule to the Ruamāhanga Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>
<b>Wellington Harbour and Hutt Valley Whaitua</b>			
New Rule – <i>Take and use of water for Firefighter Training – permitted</i>		As above.	<p>Addition of a rule to the Wellington Harbour and Hutt Valley Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p>

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
activity			<p>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>
Te Awarua-o-Porirua New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		As above.	<p>Addition of a rule to the Te Awarua-o-Porirua Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds</u></li> </ul>

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
			<p><u>the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>
<p>Kapiti Coast Whaitua</p> <p>New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i></p>		<p>As above.</p>	<p>Addition of a rule to the Kapiti Coast Whaitua Chapter as follows:</p> <p><u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p> <p><u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></p> <p>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
Wairarapa Coast Whaitua			
New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		As above.	<p>Addition of a rule to the Wairarapa Coast Whaitua Chapter as follows:</p> <p><u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p> <p><u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>





Proposed Natural Resources Plan:

Submitter:

**Maypole Environmental Limited**

Submitter Number:

**S143**



**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**

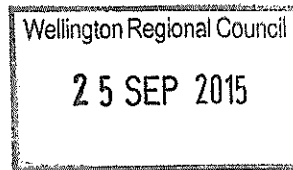
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991



**greater WELLINGTON**  
REGIONAL COUNCIL  
Te Pene Matua Taiao

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



**Your details**

Full name: Michael Hall  
 Organisation name: (If applicable) Maypole Environmental Limited, c/o Jacobs New Zealand Limited  
 Address for Service: Level 3, 86 Customhouse Quay, PO Box 10-283, Wellington, New Zealand

Telephone no's: Work: 04 914 8459 Home: Cell:

Contact person:

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: Michael.W.Hall@Jacobs.com

**Trade competition**

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Naming of Te Harakeke Wetland	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule A3	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule C2 & F1	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policies 73, 79	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rules 48, 49, 53, 67	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policies 39, 43 and Rule 106, 109, 110, Standard 5.2.2	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy 9, 45, 102, and Rule 125	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policies 97, 98	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rules 110, 53, 99	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input checked="" type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	See attached submission
	I seek the following decision from WRC (give precise details): →	See attached submission



**SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**Greater Wellington Regional Council  
(Submissions close 5pm, Friday 25 September)**

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

**Submission on:** Proposed Natural Resources Plan for the Wellington Region  
**Name of Submitter:** Maypole Environmental Limited  
**Address of Submitter:** PO Box 399  
Waikanae 5250

**Address for Services:** Jacobs New Zealand Limited  
PO Box 10-283  
Wellington 6143  
Attn: Michael Hall

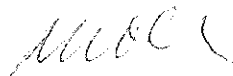
**E-mail:** [michael.w.hall@jacobs.com](mailto:michael.w.hall@jacobs.com)  
**Day Phone:** (04) 978 9489  
**Mobile Phone:** 021 2249651

An individual submission is attached.

We **do** wish to be heard in support of our submission.

If others make a similar submission, we **would** be prepared to consider presenting a joint case with them at any hearing.

We **could not** gain an advantage in trade competition through this submission.



25 September 2015

.....  
**Michael Hall on behalf of Maypole  
Environmental Limited**

.....  
**Date**

I have attached 20 pages to this submission

## INTRODUCTION

1. Maypole Environmental Limited (**Maypole**) is the land owner of approximately 130 hectares of land in Ngarara, which is a 280 hectare area located northwest of the Waikanae Township of Kapiti Coast. Ngarara is one of the few large undeveloped areas between the Waikanae beach community and Waikanae township.
2. Maypole is currently in the process of developing the land into a residential development in accordance with the Ngarara Zone provisions of the Kapiti Coast District Plan (**District Plan**). The District Plan provisions provide for the development of up to 11 Neighbourhood Development Areas (**NDA's**) in Ngarara, including a structure plan, objectives, rules, detailed environmental principles and anticipated outcomes.
3. This year, the Kapiti Coast District Council (**KCDC**) and Greater Wellington Regional Council (**GWRC**) granted Maypole resource consents to develop Stage One of the residential development, being the Waimeha NDA. Maypole subsequently proposes to develop the remaining NDA's in Maypole ownership over time.
4. Soil disturbance activities and activities in watercourses (including structures and stormwater discharges) will be required for the development and operation of the Ngarara NDA's going forward. Maypole therefore considers the proposed Natural Resources Plan for the Wellington Region (**Proposed Plan**) a significant document for future development.
5. In particular, the wider Ngarara area is home to a number of watercourses that are listed in the schedules of the Proposed Plan, namely:
  - (a) Te Harakeke (Kawakahia) Wetland, a regionally significant OEII covenanted wetland located entirely within Maypole's land-holdings;
  - (b) Waimeha Stream, a regionally significant waterbody, which crosses the western section of the Waimeha NDA; and
  - (c) Ngarara Stream and tributaries, a network of small streams that cross through Maypole's land-holdings and the proposed development area.
6. The location of these watercourses is shown in **Figure 1, Appendix B** to this submission. The location of these watercourses as identified in the Proposed Plan is shown in **Figure 2, Appendix B**.
7. Maypole is committed to ensuring the sustainable development of Ngarara while preventing, mitigating and managing the effects of the development on these watercourses and the surrounding environment. Maypole was the driver in securing the QEII covenant over Te Harakeke (Kawakahia) Wetland and strives to protect and enhance the ecological and



hydrological functions of the wetland, whilst enabling visitors to enjoy and observe the wetland.

## **SUMMARY OF SUBMISSIONS**

8. Maypole's submission primarily focuses on ensuring the appropriate level of protection is provided to Te Harakeke (Kawakahia Wetland) Wetland and Ngarara Stream, whilst providing for the economic, cultural and social well-being of the Ngarara community going forward.

### **Main submission points**

9. In general Maypole is concerned that the Proposed Plan places more restrictions on the use of watercourses within Maypole's land-holdings and the proposed Ngarara Farms development area than under the current regime, including stormwater discharges, structures and river crossings. This is due to the classifications of watercourses under the Proposed Plan and associated policies and rules.
10. We have also identified streams which have not accurately been defined or in fact do not exist on Maypole Land which will require GWRC to update the GIS mapping undertaken for the Proposed Plan.
11. In particular, Maypole's submission focuses on the following matters:
  - (a) Te Harakeke Wetland boundary;
  - (b) The classification of Ngarara Stream as a Schedule C watercourse;
  - (c) Incorrect identification of waterways;
  - (d) Stormwater discharges, and particularly discharges to land that may enter water;
  - (e) The nature and scope of Wetland Restoration Management Plans; and
  - (f) Consenting requirements for structures in Schedule C watercourses, and particularly Ngarara Stream.

### **Te Harakeke (Kawakahia) Wetland**

12. Maypole supports the boundary definition of the wetland as notified in the Proposed Plan as it is based on the updated wetland assessment recently completed by EOS Ecology and undertaken to a recognised methodology agreed with GWRC. The wetland area has been reduced to an area that is appropriate from an ecological and hydrological perspective.

13. Maypole, however, does not support the naming of the wetland in the Proposed Plan as "Te Haraekeke Wetland". Maypole considers the wetland should go by its historical name, being Kawakahia Wetland.
14. The wetland in recent decades has been recognised by national, district and regional authorities as Te Haraekeke Wetland. This naming of the site is common in written reports and articles, and appears to have been introduced as the name for the wetland around the time it was placed under QEII Covenant in 1999.
15. However, Maypole has identified that this is a mis-naming of the wetland, and that the wetland's proper name is Kawakahia:
  - (a) Maypole has discussed the naming of the wetland with former QEII Estate Manager, John Bishop. My Bishop referred to an old map (possibly of W.W. Carkeek) that showed a caption "Haraekeke" in the vicinity of the wetland (**Figure 1, Appendix C**). However, on closer inspection of the map, the caption actually refers to the trig station that is inland and adjacent to the wetland, as opposed to the wetland itself. The wetland is clearly labelled as Kawakahia.
  - (b) KCDC at the time of the creation of Pharazyn Reserve near Ngarara referred to the wetland as Rawakahia. Maypole discussed this with Mr Proctor of KCDC, who agreed that KCDC may have interpreted the old fashioned hand written map caption beginning with K to be an R.
  - (c) Maypole has also discussed this matter with Tony Thomas from Te Atiawa ki Whakarongatai. Mr Thomas confirmed his understanding that the wetland was correctly named Kawakahia.
16. Maypole therefore submits that GWRC should recognise correct name for the wetland in documentation, and inform national and district authorities of the correct name.

#### **DIRECTIONS SOUGHT**

17. Maypole's requested amendments to the Proposed Plan therefore seek to achieve an appropriate balance between protecting the ecological, hydrological and cultural functions of these watercourses, while enabling the sustainable development of Ngarara Farms going forward.
18. **Table 1 in Appendix A** to this submission lists the specific plan provisions that Maypole is making a submission on, Maypole's support or opposition to the provisions, and the directions sought by Maypole.

## Appendix A. Submission Details

Table 1: Details of Maypole's submission on GWRC's Proposed Plan

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
<b>Issue 1: Wetland naming throughout Proposed Plan</b>				
1	Naming of "Te Harakeke Wetland" throughout the Proposed Plan	Oppose	Maypole opposed the naming of the wetland as "Te Harakeke Wetland" and considers the wetland should go by its historically correct name of "Kawakahia Wetland" for the reasons described in paragraphs 9-13 of this submission.	Maypole requests all references to "Te Harakeke Wetland" in the Proposed Plan be amended to "Kawakahia Wetland".
<b>Issue 2: Scheduled Sites in the Proposed Plan</b>				
2	Schedule A3 – Wetlands with outstanding indigenous values	Support	Maypole supports the boundary definition of Te Harakeke Wetland in that it aligns with discussions Maypole has previously held with GWRC. The wetland area has been reduced to an area that is appropriate from an ecological and hydrological perspective.	No amendments requested.
3	Schedule C2 – Sites of significance to Te Atiawa	Amendment requested	Maypole understands the importance of listing sites of cultural significance in Schedule C2 to the Proposed Plan. However, Maypole requests further description as to the cultural significance of Ngarara Stream (Kawakahia).	Further description as to the cultural significance of Ngarara Stream (Kawakahia).

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
4	Schedule F1 – Rivers with significant ecosystems and relevant planning maps	Amendment requested	<p>Maypole <u>supports</u> the inclusion of Waimeha Stream as a river with a significant ecosystem. However Maypole <u>does not support</u> the inclusion of Ngarara Stream and tributaries as being within the Waimeha watercourse for this classification for the following reasons:</p> <p>(1) Under the current regime, Ngarara Stream and tributaries are classified as a “river with water quality needing enhancement”, therefore the classification of Ngarara Stream and its tributaries as Schedule F1 watercourses is a significant upgrade from the current listing; and</p> <p>(2) Classifying Ngarara Stream and tributaries as a F1 watercourse implies that these minor watercourses are considered a part of Waimeha Stream for the purposes of the Wellington Regional Policy Statement, and that the Ngarara Stream has significant ecological values, which is a departure from the current listing.</p> <p>As part of Plan Change 80 (the introduction of the Ngarara Zone in the KDC District Plan), Maypole engaged consultants to undertake water quality monitoring and produce a report about the water quality of Ngarara Stream. This work suggests that the water quality and ecosystems of the Ngarara Stream do not meet the same standards as the Waimeha Stream. Maypole therefore does not consider Ngarara Stream meets the requirements for a Schedule F1 watercourse under the Proposed Plan.</p> <p>Further, Maypole is concerned that the planning maps in the Proposed Plan do not accurately depict the watercourses on the site. <b>Figure 1, Appendix B</b>, which was prepared for the regional consent application, provides a more accurate description of the watercourses on the site than the Schedule F1 mapped watercourses.</p> <p>Should Ngarara Stream be classified under Schedule F1, the extent of the watercourse must be accurately represented.</p> <p>Ngarara Zone – information submitted about water quality – Maypole has done sampling along the Ngarara Stream as part of its original plan change and would be happy to provide this information to the Council – any additional information, we would like to see it.</p>	<p>Maypole requests further consideration as to the appropriateness of listing Ngarara Stream and tributaries as a Schedule F1 watercourse with significant ecosystems and whether Ngarara Stream meets the criteria for this classification.</p> <p>Maypole also requests that the extent of Ngarara Stream is accurately represented in the planning maps and validated. In Particular, Maypole requests that only those sections of the Ngarara Stream that exist on site (as shown in <b>Figure 1, Appendix B</b>) be included in the planning maps in the Proposed Plan.</p>

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
<b>Issue 3: Stormwater Discharges</b>				
5	Policy 73 and 79 – Minimising adverse effects of stormwater discharges; Managing landuse impacts on stormwater	Support	Maypole supports the inclusion of Policies 73 and 79 regarding storm water discharges in that they align with the basic premise behind the low impact storm water system design for Ngarara Farms development.	No amendments requested.
6	Rule 48 and 49 – Stormwater from an individual property to water or land where it may enter water; and stormwater to land – permitted activity	Amendment requested	<p>Maypole opposes the discharge of stormwater to “land that may enter a surface water body” being assessed as a discharge to water under Rule 48, and considers that such discharges should be assessed as discharges to land under Rule 49. The proposed approach is a change from the current regime, where discharges to land that may enter water are assessed as discharges to land. In particular, Rule 48:</p> <ul style="list-style-type: none"> <li>• does not provide any guidance as to what constitutes a discharge of stormwater onto “land where it may enter a surface water body”;</li> <li>• does not require stormwater to actually enter a surface watercourse for the rule to be triggered;</li> <li>• places an unnecessary restriction on discharges of stormwater to land that may enter Te Harakeke Wetland (Schedule A) and is not based on the effects of such a discharge; and</li> <li>• places an unnecessary restriction on discharges of stormwater to land that may enter Ngarara Stream (Schedule F1).</li> </ul> <p>Development of the land on this property embodies low impact stormwater design, in part to reduce discharges into streams. This low impact design incorporates nearly entirely discharges to land. Maypole is therefore particularly concerned about the restrictions the proposed provisions may have on its ability to develop the land and associated stormwater discharges to land.</p>	<p>Maypole requests amendment to Rule 48 to exclude the term “or onto land where it may enter a surface water body” so that such discharges would be captured by Rule 49.</p> <p>Maypole also requests:</p> <ol style="list-style-type: none"> <li>(1) an amendment to Rule 48(a) regarding stormwater discharges to Schedule A waterbodies to enable such discharges where they are low impact or certain standards with regards to effects can be met (for example, where the discharge aligns with Policies 73 and 79); and</li> <li>(2) an amendment to Rule 48(e) regarding discharges to Schedule F1 watercourses to enable such discharges where the discharge aligns with Policies 73 and 79.</li> </ol>

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
7	Rule 53 – All other stormwater – discretionary activity	Amendment requested	As above, Maypole opposes the discharge of stormwater to "land that may enter a surface water body" being assessed as a discharge to water, and considers that such discharges should be assessed as a discharge to land under Rule 48.	Maypole requests an amendment to Rule 53 to exclude the term "or onto land where it may enter a surface water body" so that such discharges would be captured by Rule 49.
8	Rule 67 – Discharge inside sites of significance – Non-complying activity	Amendment requested	<p>Maypole is concerned that stormwater discharges into Schedule A and F1 watercourses could be captured by Rule 67 requiring consent for a non-complying activity. This is because stormwater discharges, unlike other discharges assessed under the Proposed Plan, are not specifically precluded from Rule 67.</p> <p>Should stormwater discharges be assessed as a non-complying activity, this would potentially restrict Maypole's ability to develop its land into a residential development, even where the stormwater system is a low impact design resulting in less than minor effects on the wetland.</p>	<p>Maypole requests an amendment to Rule 67 clarifying that it does not cover stormwater discharges that are provided for under Rules 48-53.</p>

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
<b>Issue 4: Wetlands</b>				
9	Policies 39 – 43 – Sites with significant values	Amendment requested	<p>Maypole supports the general intent of Policies 39-43 in that significant natural wetlands, including those listed in Schedule A such as Te Harakeke Wetland, should be restored and enhanced.</p> <p>However, Maypole considers that the Policies place unnecessary restrictions on the future sustainable use of significant natural wetlands, and particularly public access to wetlands for tourism and education.</p> <p>Further, Maypole considers that Policies 40-43 do not provide enough direction on what activities in a significant natural wetland could be considered restoration activities in accordance with a Wetland Restoration Management Plan.</p> <p>Finally the policy framework does not balance how development can occur in wetlands, where this has been controlled sustainably. For example the Totara Dunes Neighbourhood developed for the Ngarara Structure plan provides a planning framework for development within the wetland.</p> <p>Maypole is also concerned about the restrictions Policies 40-43 place on activities in Schedule F1 watercourses, particularly if Ngarara Stream continues to be classified as a Schedule F1 watercourse.</p>	<p>Maypole requests the Policies are revised to enable and promote public access to wetlands for tourism and education where this access is in accordance with a Wetland Restoration Management Plan.</p> <p>Maypole also requests that the Policies provide more direction on the types of activities that could be included in Wetland Restoration Management Plans and that these should include public access and structures to enable public access, as well as other activities that can be controlled sustainably.</p>

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
10	Rule 106 – Restoration of wetlands – Controlled Activity	Amendment requested	<p>Maypole generally supports the requirement for Wetland Restoration Management Plans for restoration activities, and agrees with the Controlled Activity status for such plans, including the preclusion of public notification and waiver of consent fees.</p> <p>However, Maypole is concerned that Rule 106 does not define the types of activities that may be included in a Wetland Restoration Management Plan, but implies the types of activities that may be included through the matters of control listed. Maypole considers that the content of Wetland Restoration Management Plans should not be restricted, and should be a matter for agreement between GWRC and the Applicant.</p>	<p>Maypole requests an amendment to clarify that a range of activities could be included in a Wetland Restoration Management Plan and particularly structures associated with education and public access (e.g. boardwalks).</p>
11	Rule 109 – Activities in outstanding natural wetlands – Discretionary Activity	Amendment requested	<p>Maypole is concerned about the restrictions placed on activities in Schedule A wetlands, including Te Harakeke Wetland. Rule 109 is particularly restrictive if structures associated with public access and education cannot be included in Wetland Restoration Management Plans. Maypole considers that activities associated with small structures in Schedule A wetlands should rather be assessed as permitted in accordance with Rule 104.</p> <p>Maypole is also concerned that Rule 109 does not specifically cover associated bed disturbance and sediment discharge.</p>	<p>Maypole requests Rule 109 is deleted and Rule 104 is amended to include structures in Schedule A listed wetlands. Alternatively, Maypole requests that Rule 109 is amended to clarify that it includes bed disturbance and associated sediment discharge.</p>



#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
12	Rule 110 – Activities in outstanding natural wetlands – non-complying activities.	Amendment requested	Maypole is concerned about the restrictions placed on activities in Schedule A wetlands, and particularly larger structures. Maypole is also concerned about the rule hierarchy between the stormwater discharge rules and Rule 110 relating to the discharge of contaminants. Maypole is concerned Rule 110 may require resource consent for stormwater discharges into Schedule A wetlands as a non-complying activity.	<p>Maypole requests:</p> <ul style="list-style-type: none"> <li>the requirement for non-complying resource consents for structures larger than 10m<sup>2</sup> be down-graded to discretionary, restricted discretionary or controlled for structures associated with education and public access (e.g. boardwalks), if not associated with wetland restoration; and</li> <li>an amendment clarifying that Rule 110 does not cover stormwater discharges that are provided for under Rules 48-53 and that stormwater water discharges to Schedule A wetlands will therefore be assessed as discretionary activities under these rules.</li> </ul>
13	Standard 5.2.2 – Activities in wetlands general conditions	Amendment requested	Maypole is concerned that there is potential for confusion between the general conditions for activities in wetlands that prevent the discharge of contaminants to wetlands, and the stormwater Rules 48-53 of the Proposed Plan	Maypole requests Standard 5.2.2 is amended to clarify that it does not cover stormwater discharges otherwise provided for in Rules 48-55.

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
<b>Issue 5: Activities in the beds of rivers</b>				
14	Policy 9 – Public access to and along the coastal marine area and the beds of lakes and rivers	Amendment requested	<p>Maypole is concerned that Policy 9 does not promote public access to wetlands, unlike under the current regime. Maypole considers that this approach is too restrictive as access to wetlands can provide many benefits, including education.</p> <p>Particularly in the case of Ngarara, access to the wetland will promote wetland restoration and education about native flora and fauna, which will in turn help the community and visitors gain a better understanding for the importance of the wetland.</p>	Maypole requests that Policy 9 is amended to promote sustainable public access to wetlands.
15	Policy 45 – Managing adverse effects on sites with significant mana whenua values	Amendment requested	<p>Maypole is concerned about the restrictions placed on the installation of structures in Schedule C watercourses, and particularly Ngarara Stream. While Maypole agrees that mana whenua values should be protected, it considers that the focus on avoidance of activities in these watercourses may unnecessarily restrict low impact development in these areas.</p> <p>Further, while Maypole agrees that a Cultural Impact Assessment (CIA) may be required in some instances, Maypole does not consider written iwi approval to be necessary in all instances, particularly where activities are low impact and/or alternative practices for providing approval have been provided. For example for Ngarara a Neighbourhood Development Plan (NDP) under the district plan requires a Cultural Impact Assessment to be completed and a process for engagement with Te ati Awa is provided through the conditions of the NDP. Requiring further approvals may result in doubling up on processes that have already been undertaken, or unnecessarily restrict development in these areas.</p>	<p>Maypole requests Policy 45 is amended to take the focus away from avoidance of activities, and instead include avoiding, remedying and mitigating environmental effects.</p> <p>Maypole also requests Policy 45 is amended so that CIA's are only required for activities that may have an adverse environmental effect that is more than minor, and to recognise management processes in place under district plan processes to remove the requirement from written approval from iwi.</p>

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
16	Policy 102 – Reclamation or drainage of the beds of lakes and rivers	Amendment requested	Maypole is concerned that Policy 102 may restrict its ability to develop Ngarara over the site where the Schedule F1 watercourse relating to Ngarara Stream and its tributaries is marked in the planning maps. As previously discussed, the watercourse marked for Schedule F1 Ngarara Stream (as shown in <b>Figure 2, Appendix B</b> ) does not accurately reflect the watercourses in the area.	Maypole requests an amendment to better balance the ability to reclaim watercourses in Ngarara until such a time that the map area inaccurately identifying Ngarara Stream and tributaries is rectified.
17	Rule 125 – Structures within a site identified in Schedule C (mana whenua) – restricted discretionary activity	Amendment requested	Maypole is concerned about the restrictions placed on Schedule C watercourses. Maypole considers the same outcome could be achieved through a Permitted or Controlled Activity status where CIA's have been submitted in accordance with amended Policy 45.	Maypole requests the activity status for structures in Schedule C watercourses be downgraded to Permitted or Controlled Activities.
<b>Issue 6: Soil Disturbance</b>				
18	Policies 97 and 98 – Earthworks and vegetation – Managing sediment discharges; accelerated soil erosion.	Support	Maypole is generally supportive of Policies 97 and 98 in that they are targeted towards ensuring good practice measures in used in earthworks and vegetation clearance activities to minimise erosion and sediment discharge to water.	No amendments requested.

#	Relevant Plan Provisions	Support / Oppose / Amendment requested	Reason	Maypole seeks the following decision from Council (or such further, consequential or alternative relief as may be necessary or appropriate to give effect to the decision sought)
19	Rules 110, 53 and 99 – Stormwater discharges to water or land where it may enter water	Amendment requested	Maypole is concerned that there might be a conflict between Rules 110, 53 and 99, that could cause confusion as to the activity status of the discharge of storm water to water or land that may enter water associated with earthworks. For example, stormwater discharges to Te Harakeke Wetland or to land that may enter the wetland could be assessed as non-complying under proposed Rule 110, discretionary under proposed Rule 53, or permitted under proposed Rule 99.	Maypole requests that Rule 99 is amended to clarify that it takes precedence over other rules for earthworks activities, making stormwater discharges to Te Harakeke Wetland associated with earthworks a permitted activity where the water quality standards in Rule 99(d) are met. Where these standards aren't met, discharges would rather be assessed under Rule 101 as a discretionary activity.

Appendix B. Figures / Maps

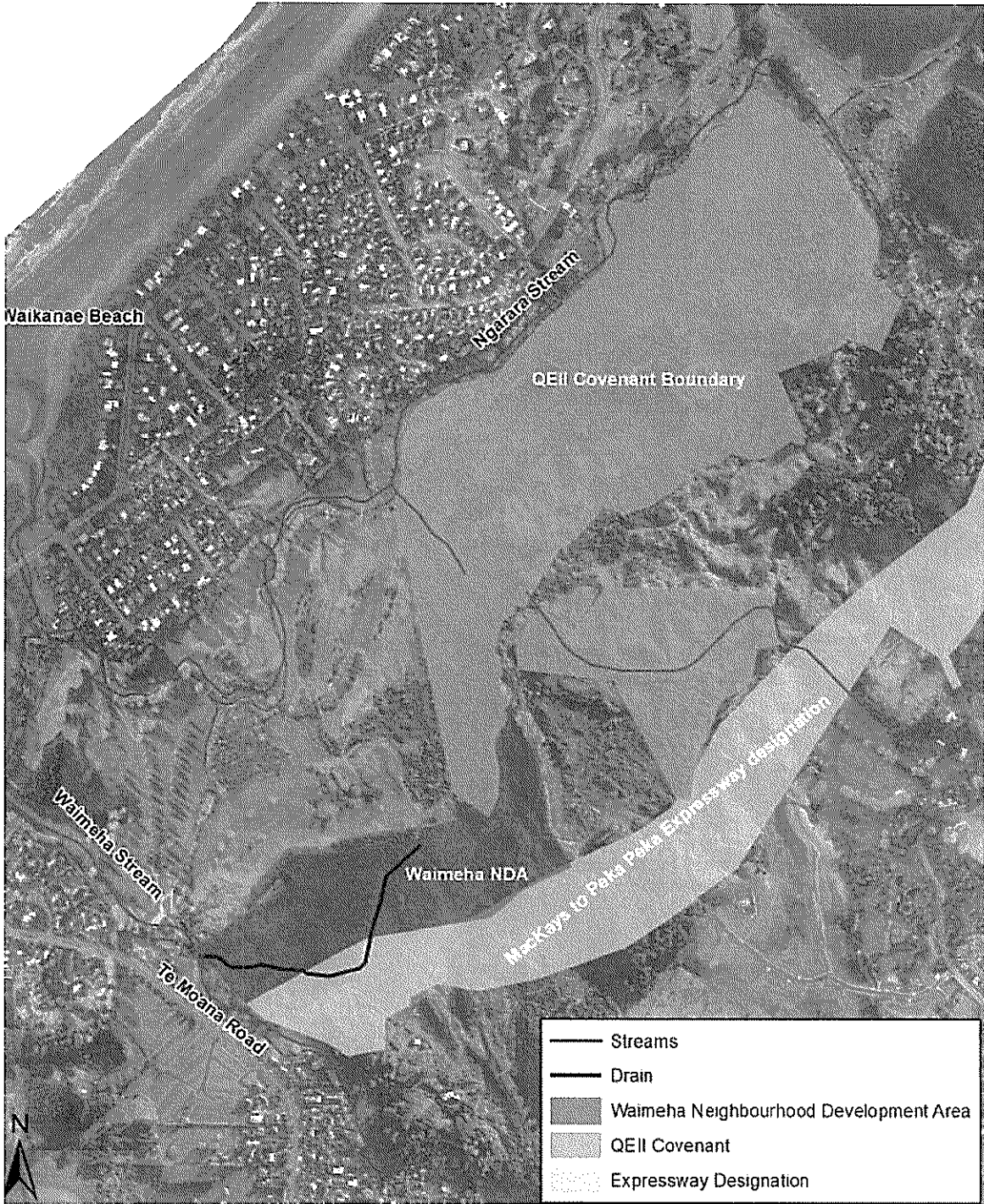


Figure 1: Location of Waimeha NDA and nearby watercourses

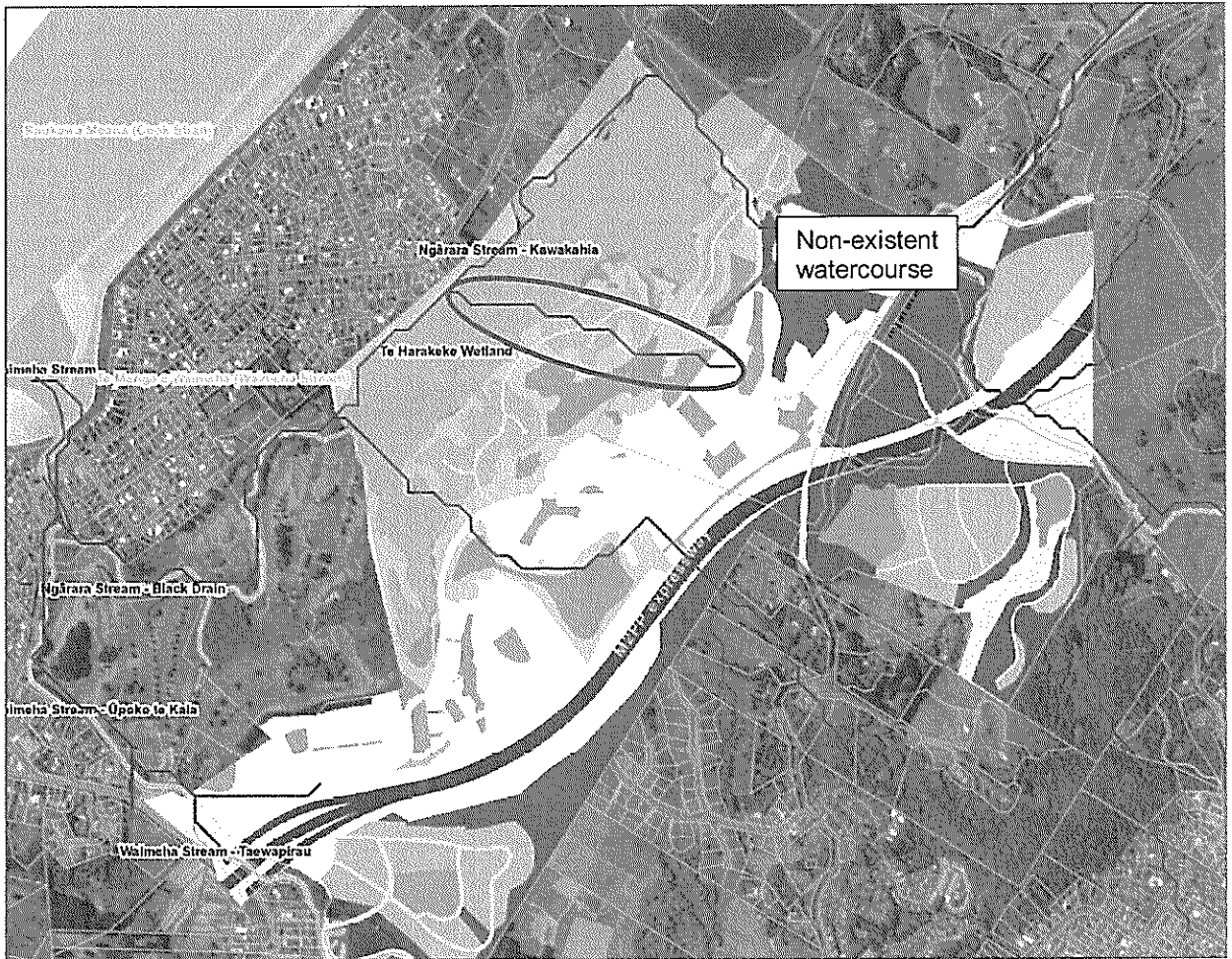


Figure 2: Te Harakeke Wetland (Schedule A3 - Green), Waimeha Stream and tributaries (Schedule F1 - Red), Ngarara Master Plan and extent

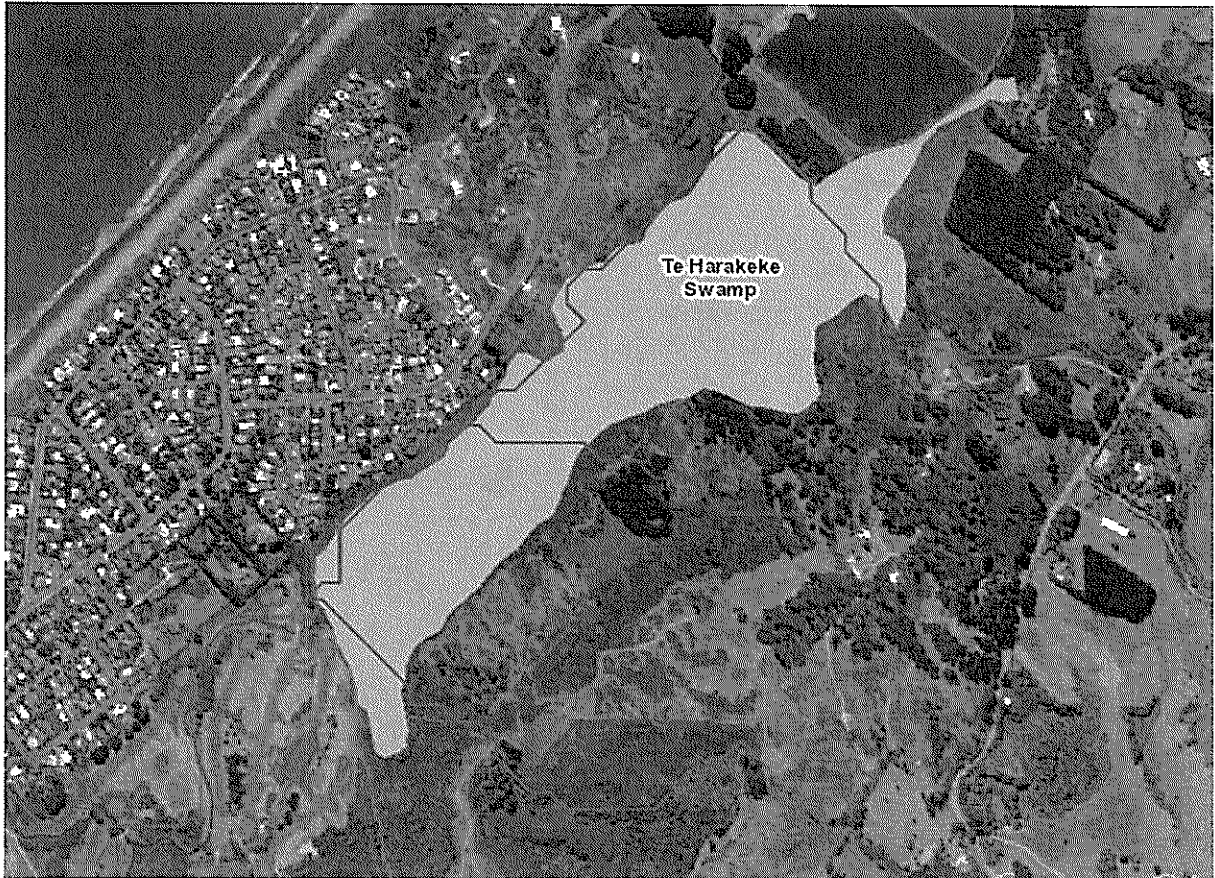


Figure 3: Waimeha Stream (Schedule B - Blue)



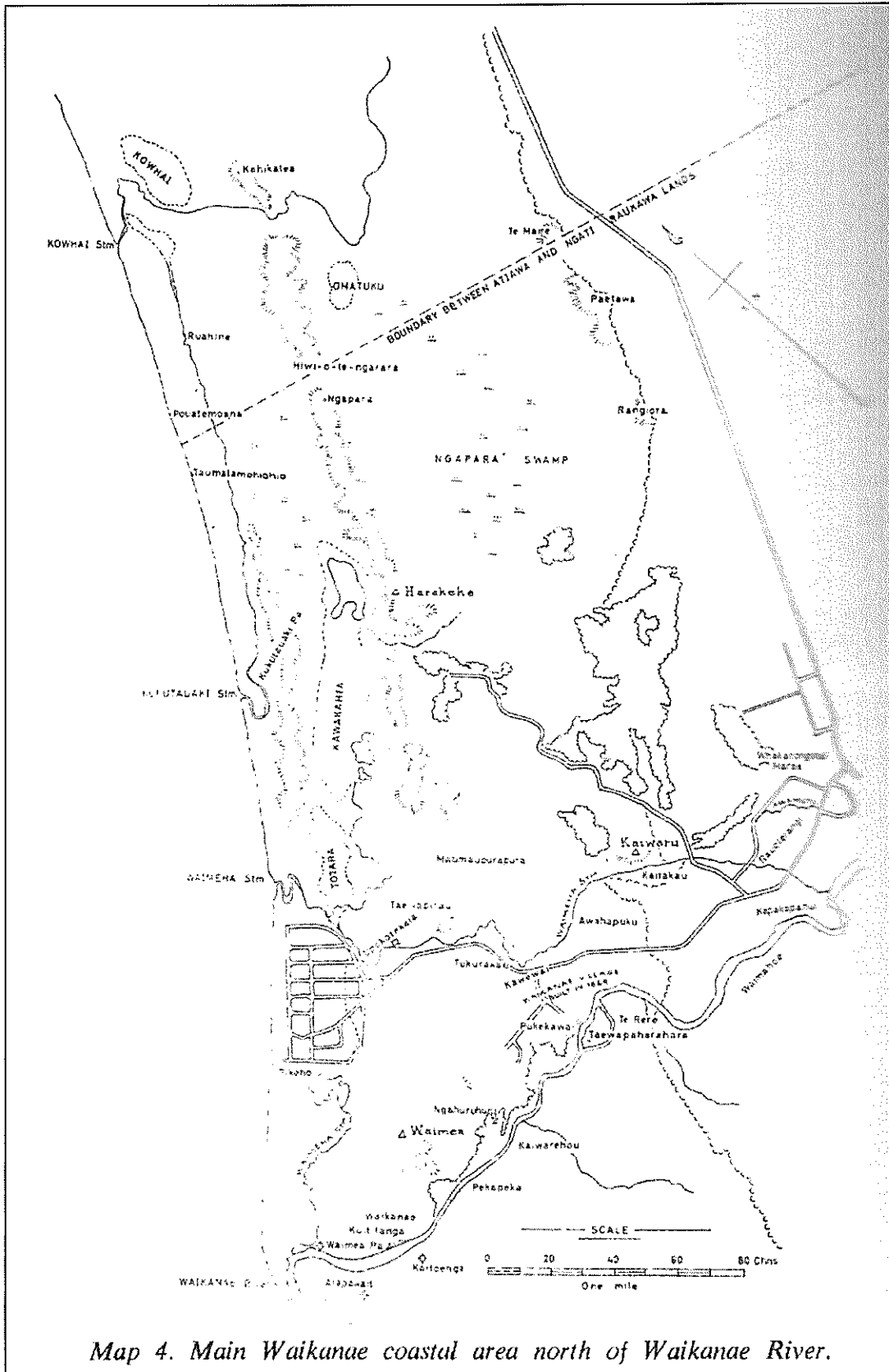
Figure 4: Ngarara Stream Kawakahia and Black Drain (Schedule C - Red)





**Figure 5: GWRC Freshwater Plan - Te Harakeke Wetland (Blue - Wetland with High Degree of Natural Character) and Ngarara Stream and tributaries (Brown - River with water quality needing enhancement)**

Appendix C. Historical Waikanae Map



Map 4. Main Waikanae coastal area north of Waikanae River.

Figure 6: Historical map of Waikanae (possibly W.W. Carkeek)

Proposed Natural Resources Plan:

Submitter:

**Chorus New Zealand Limited**

Submitter Number:

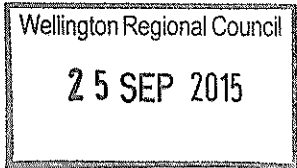
**S144**





25 September 2015

Freepost 3156  
Wellington Regional Council  
PO Box 11646  
**Wellington 6142**



By e-mail: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Dear Sir/Madam

**Form 5: Submission on the Proposed Natural Resource Plan for the Wellington Region**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

**NAME OF SUBMITTER:** Chorus New Zealand Limited (Chorus)

**ADDRESS FOR SERVICE:** Level 10  
State Insurance Tower  
1 Willis Street  
PO Box 632  
**WELLINGTON 6140**

Attention: Mary Barton  
Ph: 04 896 4168  
Email: [Mary.Barton@chorus.co.nz](mailto:Mary.Barton@chorus.co.nz)

Chorus New Zealand Limited (Chorus) welcomes the opportunity to make a submission on the Proposed Natural Resources Plan (PNRP). There are a number of matters that in the view of Chorus require amendment prior to the PNRP being made operative. Equally there are a number of proposed provisions that Chorus supports. These are detailed in the table attached to this submission.

**Background to Chorus**

Chorus 'demerged' from Spark New Zealand Trading Limited (formerly Telecom) as a separate company at midnight on 30 November 2011. As part of its business activities, Chorus maintains and builds a network made up of local telephone exchanges, radio communications infrastructure, cabinets and copper and fibre cables. Chorus' telecommunication and radiocommunication facilities and networks are essential services due to the critical role they play in society, both in terms of allowing people and communities to provide for their "wellbeing", and also for assisting to ensure their "health and safety". Chorus' fixed line network connects homes and businesses through an extensive network made up of fibre optic and copper cable. The Ultra Fast Broadband (UFB) and Rural Broadband Initiative (RBI) projects currently underway requires additional fibre cable (both underground and overhead on existing support structures). This network is also supported by a number of radio communication sites ranging from small repeater sites to large microwave stations.

Chorus works with many different retail service providers to give access to the network and develop innovative new products and services. Chorus helps these providers connect their customers to the world.

In addition to supporting customers to deliver fixed line services; Chorus' fibre network also underpins an extensive mobile phone network, which provides a wide range of mobile services to residents and visitors nationally. In order to satisfy customer demands, Chorus is constantly altering and developing both the fixed line and mobile network support infrastructure to ensure services meet the needs of customers and the local community.

Reliance on telecommunications has never been so high and this will continue to grow as an ever expanding range of applications are developed that require access to an ultra fast broadband network. There is also a critical need for the provision of resilient telecommunications networks during emergencies as has been highlighted in the case of the Canterbury earthquakes. Functioning communications networks that support emergency services during such events are crucial, and can be the difference between life and death in some circumstances.

#### **Electronic Communication**

Chorus are happy to receive information about the Proposed Natural Resource Plan via email. Can all email communication please be emailed to [Mary.Barton@chorus.co.nz](mailto:Mary.Barton@chorus.co.nz) and a copy sent to [tom@incite.co.nz](mailto:tom@incite.co.nz)

#### **Trade Competition**

Chorus could not gain an advantage in trade competition through this submission.

#### **Submission on the Proposed Plan Provisions**

Chorus' submissions on the Proposed Natural Resources Plan are set out in the attached table. In relation to the matters raised, Chorus seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

#### **Attendance and Wish to be heard at Hearings**

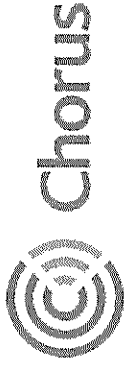
Chorus wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington staff prior to the hearings themselves. If there are any issues of clarification required please contact Tom Anderson of Incite on 04 801 6862 or [tom@incite.co.nz](mailto:tom@incite.co.nz).

Yours sincerely



**Gretchen Joe**  
Head of Property Operations  
Chorus New Zealand Limited

25 September 2015



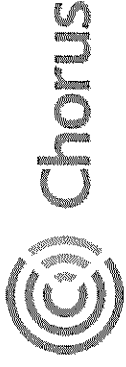
The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
<b>Chapter 2 – Interpretation (Section 2.2 Definitions):</b>			
1	Support	Chorus supports the definition of Earthworks as it specifically excludes cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	Retain this definition in its current form.
2	Support with amendment	Chorus supports a definition for Functional Need, however the definition in its current form could lead to ambiguity around what is 'dependent', and could potentially restrict Chorus's core activities which occur in the CMA.	Amend the definition to provide greater clarity around what the word 'dependent' entails.
3	Support with amendment	Chorus supports a definition for Operational Requirement, however, similar to the definition for Functional Need, the definition in its current form could lead to ambiguity around what is 'needs to be carried out'.	Amend the definition to provide greater clarity around what 'needs to be carried out' entails.
4	Oppose	There is no definition of "strategic telecommunication /radiocommunication facility" in either the Telecommunications Act or the Radiocommunications Act.	Amend bullet point two and three of the definition as follows: <ul style="list-style-type: none"> <li>• <i>strategic telecommunication facilities, as defined in section 5 of the Telecommunications Act 2001</i></li> </ul>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>Key concerns with the definition in the Proposed Plan include:</p> <ul style="list-style-type: none"> <li>The confusion and uncertainty generated by the reference to "strategic telecommunication /radiocommunication facility", with no direction provided as to what this encompasses</li> <li>The lack of recognition (by trying to identify some aspects as "strategic") that telecommunication and radiocommunication facilities are interlinked, and as a whole they are essential to the region in terms of their economic and social benefits, as well as being critical in times of emergency and disaster.</li> </ul> <p>This issue has been previously raised with the Greater Wellington Regional Council, most recently in relation to the hearing of Proposed Plan Change 16 to the Porirua City District Plan as well as in relation to this definition contained within the Regional Policy Statement.</p>	<ul style="list-style-type: none"> <li>strategic radiocommunications as defined in section 2(1) of the Radio Communications Act 1989.</li> </ul>

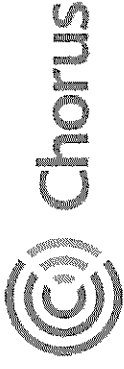




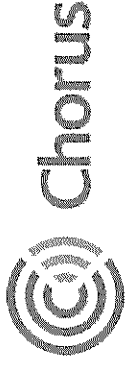
Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
<b>Chapter 3 Objectives</b>			
5	Beneficial use and development Objective O12	Oppose in part	Amend Objective 012 as follows:  <i>Objective 012 (Coastal)</i> <i>The social, economic, cultural, and environmental and <b>health and safety</b> benefits of regionally significant infrastructure and renewable electricity generation activities.</i>  <b><u>Objective 012A</u></b> <b><u>Recognise that some regionally significant infrastructure has a functional need and/or operational requirement to be located and/or operated in a particular environment.</u></b>
6	Beneficial use and development Objective O13	Support	Amend Objective O13 as follows:  <i>The <b>existing</b> use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i>
7	Natural Character Form and Function: Objective O21	Oppose	Amend Objective 021 as follows:  <i>Inappropriate use and development in high hazard areas is avoided, <b>other than</b></i>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>areas (e.g. cables attached to a structure across a riverbed, or cables above, or on or below a seabed or riverbed). Noting the stringent requirement to "avoid" in the objective, specific recognition is sought in the policy as to when the use and development in these areas may be appropriate.</p>	<p><u>(a) where it has a functional need and/or operational requirement to be located there, and/or</u></p> <p><u>(b) where it is necessary to enable the efficient operation of regionally significant infrastructure.</u></p>
<b>Chapter 4 – Policies:</b>			
8	Oppose in part	<p>Chorus considers that the policy could be improved by making it clear that "the smallest practicable amount is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.</p>	<p>Amend Policy P4 as follows: <i>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <b>having regard to the nature and objectives of the activity</b> and shall include:...."</i></p>
9	Support with amendment	<p>Chorus supports the intent of Policy P7, but considers that Regionally Significant Infrastructure should also be given recognition when considering uses of land and water.</p>	<p>Amend Policy P7 as follows: <i>The cultural, social and economic benefits of using land and water for:</i> <b><u>(1) Regionally Significant Infrastructure</u></b></p>
10	Support with amendment	<p>There are potential instances where, due to the installation of Regionally Significant Infrastructure, public access to and along the Coastal Marine Area and the beds of rivers</p>	<p>Amend Policy P9 as Follows: <i>Reduction in the extent or quality of public access to and along the coastal marine area and the beds</i></p>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
11	Beneficial Use and Development Policy P12  Support with amendment	and lakes is temporarily disrupted. This should be recognised as an exception in Policy P9  Chorus supports the intent of the policy in recognising the benefits of regionally significant infrastructure. However it is considered that provision (e) should also recognise the functional need of regionally significant infrastructure being located in the certain areas. The Port is not the only Regionally Significant Infrastructure provider which has a functional need to be located in the Coastal Marine Area.	of lakes and rivers shall be avoided except where it is necessary to:  <b><u>(d) protect Regionally Significant Infrastructure</u></b>  Amend Policy P12 as follows:  <b><u>(e) the functional need for and the operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities, including where those activities are proposed within areas of outstanding natural character and landscapes, high hazards, sites of significant value, ecosystems and habitats with significant indigenous biodiversity value, natural features, sites significant historic heritage value, and sites with significant Mana Whenua.</u></b>
12	Beneficial Use and Development Policy P13  Support with amendment	Chorus supports the intent of the policy as recognising the use, operation, and upgrade of existing regionally significant infrastructure as beneficial and generally appropriate. The removal of infrastructure should also be acknowledged in the policy framework.	Amend Policy P13 as follows:  The use, operation, maintenance, and upgrade, <b>and removal</b> of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
13 Beneficial Use and Development Policy P14	Support	Chorus supports the intent of the policy in providing protection from reverse sensitivity effects for regionally significant infrastructure. However effects from incompatible activities can be more than just reverse sensitivity type effects, and this should be recognised in the policy.	Amend Policy P14 as follows:  <i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any <b>adverse effects</b>, including <b>any</b> reverse sensitivity effects.</i>
14 Natural Character Policy P24	Support with amendment	Chorus supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the word 'avoid' without the sequential words remedy or mitigate is not appropriate.	Amend Policy P24 as follows:  <i>Areas of outstanding natural character in the coastal marine area will be preserved by:</i> <i>(a) <b>avoiding avoid, remedy or mitigate</b> adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and</i> <i>(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and</i> <i>(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and</i> <i>(d) maintaining the high levels of naturalness of these areas, and</i> <i>(e) <b>avoiding avoid, remedy or mitigate</b> the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</i>



Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
15	Natural Character Policy P25	Support with amendment	Chorus supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the word 'avoid' without the sequential words remedy or mitigate is not appropriate.	<p>Amend Policy P25 as follows:</p> <p><i>Use and development shall avoid, <b>remedy or mitigate</b> significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</i></p> <p><i>(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</i></p> <p><i>(b) the presence or absence of structures and buildings, and</i></p> <p><i>(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and</i></p> <p><i>(d) whether it is practicable to protect natural character from inappropriate use and development through:</i></p> <p><i>(i) using an alternative location, or form of development that would be more appropriate to that location, and</i></p> <p><i>(ii) considering the extent to which functional need or existing use limits location and development options.</i></p>



	Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
16	Natural Hazards Policy P28	Support with amendment	Chorus supports the intent of the policy, in limiting the extent of hard engineering mitigation methods. However there are instances when these are necessary, and the use of the word avoid within the policy is not appropriate.	Amend Policy P28 as follows:  <i>Hard engineering mitigation and protection methods shall be avoided—except <b>only be implemented</b> where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor</i>
17	Outstanding water bodies Policy 39	Support with amendment	Chorus supports the intent of the policy, however use of the word avoid within the policy is not appropriate.	Amend Policy P39 as follows:  The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, <b>remedied or mitigated</b> .
18	Sites with Significant Values Policy P49	Support with amendment	Chorus supports the overall intent of the policy but considers that the policy could be improved by focusing on inappropriate use and development. Otherwise it could be read as requiring absolute protection and avoidance of all adverse effects from all activities.	Amend Policy P49 as follows:  <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by <b>seeking to:</b></i> <i>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i> <i>(b) avoiding adverse cumulative effects <b>from inappropriate use and development</b> on the values of an outstanding natural feature or landscape.</i>

Plan Provision		Support/ Oppose/ Amend	Submission Reasons	Decision Sought
19	Primary Coastal Policies Policy P132	Support with amendment	<p>Chorus supports the policy as it recognises regionally significant infrastructure as having a functional and operational need to be located in the coastal marine area.</p> <p>The term where practicable in clause (g) is also supported as there are situations where locating development in existing areas (e.g. siting marine cables) may not be practical</p> <p>Recognition of the location of existing infrastructure should also permeate through this policy.</p>	<p>Amend Policy 132 as follows  <i>Use and development in the coastal marine area shall...</i></p> <p><b><u>(h) recognise the location, operation and function of existing regionally significant infrastructure.</u></b></p>
<b>Chapter 5 – Rules</b>				
20	Emergency Power Generators Rule R12	Support with amendment	<p>Chorus supports the use of emergency power generators as a permitted activity. However a further situation needs to be recognised within the rule, being load shedding (also known as Peak Load Generation). From time to time, Chorus is approached by electricity generation companies and lines companies to make generators available for load shedding. This only occurs at times when the electricity network is under extreme pressure</p>	<p>Amend Rule R12 as follows:</p> <p><i>The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</i></p> <p><i>(a) the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</i></p>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
21	Support with amendment	<p>(crisis peak demand) and is facing the likelihood of area supply cuts.</p> <p>Chorus supports the need to manage works in contaminated environments. The use of site investigations to assess hazardous substances that may be present in soil are an important tool. The proposed rules R54, R55 and R69 appear to impose a regulatory regime that is excessive and contrary to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. Chorus submits that the need to provide a Site Investigation Report should be set at the same threshold as the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, in order to avoid situations where an investigation report may be</p>	<p>(b) the person operating the equipment is undertaking necessary maintenance or testing of the device, or</p> <p>(c) the electricity connection is not available is a permitted activity; <u>or</u></p> <p><b><u>(d) load shedding/peak load generation is required.</u></b></p> <p>In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as management tool.</p> <p>Amend R54 as follows:</p> <p><i>The use of land to assess the concentration of hazardous substances that may be present in the soil and any associated discharge into air is a permitted activity, provided the following conditions are met:</i></p> <p><i>(a) the assessment is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and</i></p>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>necessary under one document but not the other.</p> <p>The rules related to contaminated land and discharges need a full and comprehensive review and rewrite to recognise and provide for works undertaken by infrastructure providers.</p> <p>Given the changes sought to Rule R55 around when regionally significant infrastructure providers should be excluded, a note should be added to Rule R54 to ensure consistency.</p>	<p><u>(b) if more than 25m<sup>3</sup> per 500m<sup>2</sup> of soil is disturbed</u>, the assessment is reported in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and</p> <p>(c) a copy of the report is provided to the Wellington Regional Council two months after the completion of the assessment.</p> <p><b><u>Note. regionally significant infrastructure providers are specifically excluded from requiring to comply with Rule R54, provided the exclusion parameters listed under Rule R55 (and any subsequent provisions) are met.</u></b></p>
22	Support with amendment	<p>Chorus supports the intent of Rule R55, however for the same reasons as outlined above for Rules R54 and R69 we are concerned that there are no thresholds set as to when provisions (a) and (b) must be complied with.</p> <p>The implementation of some of Chorus' below ground linear infrastructure through contaminated land utilising 'trenchless' methods (i.e. drilling, boring and thrusting) can lead to negligible discharges of contaminants. As such, Chorus seeks that implementation of trenchless</p>	<p>In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R55 as follows:</p> <p><i>The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided the following conditions are met:</i></p>



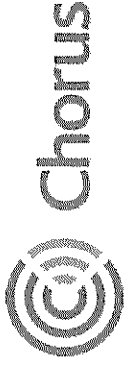
Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>method lineal infrastructure is excluded from Rule R55. A further permitted rule is required to establish the thresholds as to when the provisions of Rule R55 are necessary.</p>	<p>(a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>(b) the site investigation report concludes that:</p> <p>(i) the concentration of contaminants in groundwater meets the Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species, and</p> <p>(ii) the concentration of contaminants in groundwater, at the property boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species</p> <p><b>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</b></p> <p><b>Note that if the provisions in Rule R55B are complied, compliance with Rule R55 is not necessary.</b></p>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
23	Discharge to Land Rule R69	Support with amendment	<p><b>Rule R55B</b></p> <p><b>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</b></p> <p><b>(a) 200m<sup>3</sup> per site, or</b></p> <p><b>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</b></p> <p><b>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor. For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</b></p> <p><b>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</b></p>
		While Chorus supports the intent of R69 for reasons outlined above for Rules R54 and R55, Chorus is concerned that there are no thresholds set as to when provisions (a), (b) and (c) must be complied	In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>with. The installation of some of Chorus' below ground infrastructure through contaminated land utilising trenchless methods (drilling, boring, thrusting) can lead to negligible discharges of contaminants. As such Chorus seeks that the use of trenchless methods for the installation of lineal infrastructure be excluded from Rule R69. A further permitted rule is required to establish the thresholds as to when the provisions of R69 are necessary.</p>	<p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R69 as follows:</p> <p><i>The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li>(a) the contaminant shall not enter water, and</li> <li>(b) the contaminant shall not cause an adverse effect beyond the boundary of the property, and</li> <li>(c) the contaminant is not a hazardous substance</li> </ul> <p><b><u>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</u></b></p> <p><b><u>Note that if the provisions in Rule R69B are complied, compliance with Rule R69 is not necessary.</u></b></p> <p><b><u>Rule R69B</u></b></p>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
24	Earthworks Rule R99	Support	<p><u>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</u></p> <p><u>(a) 200m<sup>3</sup> per site, or</u></p> <p><u>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</u></p> <p><u>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor. For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</u></p> <p><u>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</u></p>
	Earthworks Rule R99	Support	<p>Retain Rule R99 in its current form</p>
		Chorus supports the definition of earthworks in excluding cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
25 Activities in beds of lakes and rivers Rule R.112	Oppose in part	Chorus seeks an amendment to specifically provide for the repair, replacement, upgrade or use of telecommunication lines as a permitted activity.	<p>Amend Rule R.112 as follows:</p> <p><i>The maintenance, repair, replacement, upgrade or use of a structure or a part of a structure (excluding the Barrage Gates and Telecommunications Lines) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</i></p> <ul style="list-style-type: none"> <li><i>(a) disturbance of the river or lake bed, and</i></li> <li><i>(b) deposition on the river or lake bed, and</i></li> <li><i>(c) diversion of water, and</i></li> <li><i>(d) discharge of sediment to water</i></li> </ul> <p><i>is a permitted activity, provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li><i>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</i></li> <li><i>(f) the resulting structure is contained within the form of the existing structure, or</i></li> <li><i>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of:</i> <ul style="list-style-type: none"> <li><i>(i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or</i></li> <li><i>(ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</i></li> </ul> </li> </ul>

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
26	New Structures – Rule R117	Chorus supports the rule and the specific exclusion in clause (f) for adding pipes or cables to an existing structure.	<p><u>Note, while Telecommunication Lines are expressly excluded from the provisions of Rule R112, their maintenance, repair, replacement, upgrade or use are subject to compliance with the general conditions in section 5.5.4.</u></p> <p>Retain Rule R117 in its current form.</p>
27	Coastal Management general conditions – 5.7.2(c)	<p>Chorus have telecommunications cables which cross the foreshore and seabed within the Hutt Valley Aquifer Zone.</p> <p>All Chorus cables which cross the seabed are buried within the bed material. The 0.5m depth restriction is overly restrictive in the Hutt Valley Aquifer Zone, and as such a depth of 2.0m is sought.</p>	<p>Amend Coastal Management General Condition 5.7.2 (c) as follows:</p> <p><i>(c) there is no disturbance of the foreshore or seabed to a depth greater than 0.5m <b>2.0m</b> below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and</i></p>
28	New Structure, Addition or Alteration outside sites of significance Rule R161	Chorus seeks amendment to the proposed rule in order to clarify the differentiation between minor additions or alterations to structures (R150) and new structures or alterations to structures outside sites of significance.	Amend Rule R150 and R161 to clearly define thresholds for minor additions or alterations to structures.



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
29 New Structure, Addition or Alteration inside an identified site Rule R162	Oppose	Chorus considers the rule should not apply to additions or alterations to existing structures.	<p>Amend Rule R162 as follows:</p> <p><i>A new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...</i></p>



Proposed Natural Resources Plan:

Submitter:

**Vector Gas Ltd**

Submitter Number:

**S145**

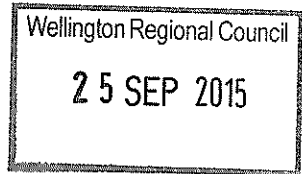


Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)



Your details

Full name: \_\_\_\_\_

Organisation name:  
 (If applicable)

Vector Gas Ltd

Address for Service:

C/- Beca Ltd, PO box 3942

Telephone no's:

Work:

Home:

Cell: 0274633031

Contact person:

Address and telephone no (if different from above):

Hywel Edwards

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address:

[hywel.edwards@beca.com](mailto:hywel.edwards@beca.com)

Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Refer attached submission	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Hywel Edwards

Date: 25 / 9/2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



**Submission by Vector Limited**

**Proposed Natural Resources Plan for the Wellington  
Region**

**25 September 2015**

**Submission on the Proposed Natural Resources Plan for the  
Wellington Region under Clause 6 of Schedule 1, Resource  
Management Act 1991**

**To** Greater Wellington Regional Council (Council)  
**Name of submitter:** Vector Gas Limited (Vector)

Vector is making this submission in accordance with Clause 6 of Schedule 1, Resource Management Act 1991.

Vector:

- could not gain an advantage in trade competition through this submission;
- wishes to be heard in support of its submission; and
- would be prepared to consider presenting a joint case at any hearing if others make a similar submission.

The specific details of Vector's submission, and decisions sought in relation to the provisions contained in the chapters above, are contained in the attached table.

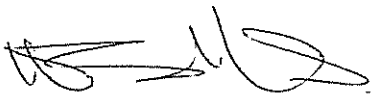
**Address for service of submitter:** c/- Beca Limited  
PO Box 3942  
Wellington 6140

**Telephone:** +64 4 550 5933

**Mobile:** +64 27 463 3031

**Email:** Hywel.Edwards@beca.com

**Contact person:** Hywel Edwards, Associate - Planning



.....  
**Signature of the person authorised to sign on behalf of Vector Limited**

**Date:** 25 September 2015

## 1 Introduction to Vector

Vector Gas Limited ("Vector") is the owner and operator of approximately 2500km of high pressure natural gas transmission pipelines throughout the North Island.

The below ground gas transmission pipelines deliver gas from production stations in Taranaki through to various towns and locations throughout the North Island. The gas transmission system delivers gas to distribution networks via 'Delivery Points'. Delivery Points are above ground pressure regulating station sites which transition between gas in the high pressure system to the medium to low pressure distribution pipeline network.

Within the Wellington region Vector owns and operates approximately 126km of high pressure gas transmission pipeline and 10 Delivery Points. A location plan of the gas transmission system is attached.

## 2 Typical Vector operations and activities

The section below provides a summary of the operations and activities undertaken by Vector which are likely to require statutory approvals under the NRP. Further detail or explanations as to the nature and scale of these operations and activities can be supplied on request.

### 2.1 Maintenance, replacement, upgrade, removal and development

Activities and operations related to maintaining, replacing, upgrading, removal or developing the Vector network typically involve those identified in the table below:

Activity	Description
<b>Land Use Activities</b>	
Open trenching / earthworks	To access the existing pipe or in preparation for a replacement or new pipe to be laid (and back-filling / compaction upon completion of the works).
Horizontal Directional Drilling	A trenchless construction method used to install pipelines where conventional construction (open trenching) are not feasible or practicable, or will potentially cause unacceptable adverse effects in Vector's opinion.
Earthworks and vegetation clearance	To enable and provide access to Vector's assets through Rooding and tracking activities and also potentially to establish construction yards.
Reinstatement	Reinstatement of disturbed soil and vegetation post construction works.
<b>Discharges to Air</b>	
Gas venting	Associated with tie-in works <sup>1</sup> whereby pressure in the pipeline is reduced and delivery staging venting. Natural gas itself is odourless therefore an odorant is added to the gas to enable detection for purging purposes.
<b>Discharges to land and water</b>	
Drilling fluid	This typically comprises water and bentonite, a naturally occurring and environmentally safe clay mineral containing no polymer additives or chemical treatments. Fluid is largely re-used in drilling operations but some residual

<sup>1</sup> Connecting new / replacement and existing pipe sections

	(minimal) fluid recovered at the end of the project is often dispersed onto land
<b>Dewatering of trenches</b>	In areas with a high water table (e.g. the Kapiti Coast), de-watering of open trenches is required to enable pipe works and for health and safety reasons.
<b>Hydro-testing</b>	Hydro-testing are often required when commissioning new pipelines which require a discharge of water to receiving environments.
<b>Works in waterbodies</b>	
<b>Pipe(s) traversing or running parallel to the beds of waterways</b>	The gas pipeline traverses and runs parallel to many waterbodies, including wetlands. Works in, over and under the beds of waterways is often required.

## 2.2 Protection from third party works

The high pressure gas transmission pipelines are required to meet the safety and operational requirements of the Health and Safety in Employment (Pipelines) Regulations 1999 and the operating code Standard AS2885 Pipelines – Gas and Liquid Petroleum (AS2885). Vector is required to ensure the protection and integrity of the pipeline is maintained to ensure the safety of the public, property, and the environment.

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. Activities which may affect the gas pipelines should take into account the location and protection requirements of the pipelines. Activities in the vicinity of gas transmission pipeline should be carried out, as far as practicable, in such a way so as not to compromise the safe and efficient operation of the pipeline.

## 3 Wellington Regional Policy Statement

The Wellington Regional Policy Statement (RPS) was made operative in 2010. 'Regionally significant infrastructure' is defined in the RPS as including:

*"pipelines for the distribution or transmission of natural or manufactured gas or petroleum".*

Key provisions in the RPS as they relate to enabling and protecting Vector's regionally significant assets, operations and activities are:

RPS Provision	Policy and Objective Wording
Objective 10:	The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.
<b><i>Policies to achieve the objective through the regional (and district) plan</i></b>	
Policy 7:	Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans
Policy 8:	Protecting regionally significant infrastructure – regional and district plans
<b><i>Policy to achieve the objective through the consideration in statutory approval processes</i></b>	
Policy 39:	Recognising the benefits from renewable energy and regionally significant infrastructure – consideration

These provisions need to be 'given effect to' in the Natural Resources Plan. In the context of the PNRP this essentially means ensuring that:



- the Vector network is able to be safely, effectively and efficiently operated, maintained, upgraded and developed; and,
- the adverse effects of development or activities in proximity to the Vector network are managed to the extent that adverse effects on the network are reduced, minimised or avoided.

#### **4 General Submission**

Without limiting the generality of this general submission, Vector seeks decisions as sought in the attached Schedule One, and any consequential relief required to achieve the relief sought.

**Schedule One** details the specific provisions that Vector is supportive of and / or opposes, and also outlines relief sought by Vector to address concerns with the Proposed Natural Resources Plan as currently drafted.

In summary, Vector's submission generally seeks that:

- The PNRP continues to recognise that the gas transmission system is regionally significant infrastructure;
- The gas transmission system is enabled to be safely, effectively and efficiently operated, maintained, upgraded and developed (i.e. recognised and provided for), including through an enabling activity status where there is a need for resource consent (i.e. discretionary activity status as opposed to non-complying);
- The gas transmission system is recognised as having functional and operational requirements and constraints, including in respect of its location;
- There may be some occasions where works undertaken by Vector may generate adverse environmental effects, and therefore inclusion of the term 'avoid' in the policy framework needs to be used appropriately;
- That the adverse effects of third party development or activities in close proximity to the gas transmission system are managed to the extent that adverse effects on the network are reduced or avoided;
- That the assessment of applications for works and activities involving the gas transmission system (as regionally significant infrastructure) consider the Best Practicable Option; and
- That where third party activities are proposed in close proximity to the gas transmission system, that Vector is explicitly identified as an affected party.

## Schedule One: Detailed Submission by Vector Ltd

Plan Provision	Support/Oppose/ Amend	Submission/Reasons	Relief/ Decision Sought
<b>Chapter 1: Introduction</b>			
1.1 Introduction	Amend	Vector is supportive of the approach being taken in respect of working in partnership with iwi and hapu. Vector considers an illustration as to the general rohe of the respective iwi and hapu would be beneficial, especially to inform pre-application consultation efforts for location based projects.	<ul style="list-style-type: none"> <li>■ Include a diagram illustrating the general rohe of iwi and hapu within the region.</li> </ul>
1.4 Whaitua committees	Neutral	<p>Vector notes that integrated management is to be facilitated by the 5 whaitua committees. The committees will each develop an implementation programme which will include both regulatory provisions and non-regulatory programmes. The regulatory provisions will be included progressively by way of plan changes or variations in the whaitua-specific chapters of the Plan. While generally supportive of this concept, Vector has the following concerns with this approach:</p> <ul style="list-style-type: none"> <li>• there is a lack of industry representation;</li> <li>• there is a need for consistent region-wide provisions for linear infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>■ Provide a mechanism for industry representation, including infrastructure providers, to be involved in the whaitua committees, especially in the context of regulatory mechanisms e.g. the development / progression of plan changes.</li> </ul>
<b>Chapter 2: Interpretation</b>			
2.1.3 Rule	Support	The PNRP has, where practicable, combined associated activities into one rule. This means that several permissions which may be required under section 9 and sections 12 to 15B of the RMA are included in one rule for which one application for resource consent can be made. This simplified approach greatly assists plan users to identify both rule triggers and their understanding of the rule framework applying to their proposed activities.	<ul style="list-style-type: none"> <li>■ Retain the approach of including suites of s9, 12 – 15 activities under a single rule.</li> </ul>
<b>2.2 Definitions</b>			

<p>Best Practicable Option</p>		<p>Vector seeks the inclusion of the term best practicable option which is an important process to determine acceptable use and development in an infrastructure context. The term is sought for inclusion throughout the policy framework.</p>	<ul style="list-style-type: none"> <li>■ Add a new definition: <ul style="list-style-type: none"> <li><u>Best practicable option, means the best site, route or method for preventing or minimising the adverse effects on the environment having regard, among other things, to:</u></li> <li>(a) <u>the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</u></li> <li>(b) <u>the financial implications, and the effects on the environment, of that option when compared with other options; and</u></li> <li>(c) <u>the current state of technical knowledge and the likelihood that the option can be successfully applied.</u></li> </ul> </li> </ul>
<p>Bore</p>	<p>Support with amendment</p>	<p>Vector supports the definition of 'bore' but believes for clarity, a note should be included under the definition confirm that 'geotechnical investigation bore' has its own definition.</p>	<ul style="list-style-type: none"> <li>■ Amend the definition: <p>A structure or hole in the ground constructed for the purpose of</p> <ul style="list-style-type: none"> <li>(a) investigating or monitoring the conditions below the ground surface, or</li> <li>(b) abstracting liquid substances from the ground, or</li> <li>(c) discharging liquid substances into the ground.</li> </ul> <p><i>Note: a separate definition of 'geotechnical investigation bore' is also contained in the Plan.</i></p> </li> </ul>
<p>Dewatering</p>	<p>Support with amendment</p>	<p>Vector supports the definition subject to a minor amendment to reflect that dewatering can also occur through the diversion of groundwater.</p>	<ul style="list-style-type: none"> <li>■ Amend the definition of dewatering <p>The abstraction <i>or diversion</i> of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.</p> </li> </ul>
<p>Earthworks</p>	<p>Support with amendment</p>	<p>Vector supports the definition, subject to confirmation that bore related activities do not constitute earthworks. Bores, including geotechnical bores, have their own definition and rule framework and therefore clarify that these activities are not 'earthworks' will avoid confusion as to the need for consents / applicability of the rules.</p>	<ul style="list-style-type: none"> <li>■ Amend the definition: <p>The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is stabilised. Earthworks includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.</p> <p>Earthworks do not include:</p> <ul style="list-style-type: none"> <li>(a) . . . . .</li> </ul> </li> </ul>

			<p>(c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</p> <p>(i) <u>The construction, repair or maintenance of a bore or geotechnical investigation bore.</u></p>
Functional need	Support with amendment	Vector supports the definition of functional need as it relates to the CMA, rivers and lakes but notes that this constraint is not necessarily limited to these locations. Linear infrastructure is often functionally constrained.	<ul style="list-style-type: none"> <li>■ Amend the definition: When an activity is dependent on having its location, <u>including</u> in the coastal marine area or in the beds of lakes and rivers.</li> </ul>
Geotechnical investigation bore	Support	Vector supports the definition.	<ul style="list-style-type: none"> <li>■ Retain the definition Any bore constructed to provide information about soil, sediment or rock.</li> </ul>
Good management practice	Support	Vector supports the definition. Technology, knowledge and methods change over time and the statutory documents should recognise (and provide) this.	<ul style="list-style-type: none"> <li>■ Retain the definition: Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Good management practice guidelines can be found on the Wellington Regional Council's website <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a></li> </ul>
Operational requirement	Support with amendment	Vector supports the definition of operational requirement. Linear infrastructure often has operational requirements in order to function efficiently and effectively.	<ul style="list-style-type: none"> <li>■ Amend the definition of operational requirement: When an activity needs to be carried out in a particular location or way in order to be able to function <u>safely</u>, effectively and efficiently.</li> </ul>
Regionally significant infrastructure	Support with amendment	Vector notes that only 'pipelines' are included within the definition whereas other infrastructure, such as Delivery Points for example, are integral to, and form part of, the network.	<ul style="list-style-type: none"> <li>■ Amend the definition of 'regionally significant infrastructure': Regionally significant infrastructure includes: . . . . <ul style="list-style-type: none"> <li>• Pipelines <u>and incidental equipment and facilities</u> for the distribution or transmission of natural or manufactured gas or petroleum.</li> </ul> </li> </ul>
Residual adverse effects	Support	Vector supports the definition of the term and its inclusion in the Plan to the extent that it recognises that not all effects can be avoided,	<ul style="list-style-type: none"> <li>■ Retain the definition of residual adverse effects:</li> </ul>

		remedied or mitigated. There may be functional and operational requirements which result in residual adverse effects remaining.	The negative effects on the environment remaining from an activity after avoidance, remediation, and mitigation measures have been taken.
<b>Chapter 3: Objectives</b>			
Beneficial Use and Development Objective O12	Support with amendment	The PNRP identifies two infrastructure related issues of significance: 1. infrastructure enables communities to provide for their social, economic and cultural wellbeing; and 2. the management, use and operation of infrastructure can be adversely affected when incompatible land uses occur under, over or adjacent.  RPS Policies 7 and 8 seek to address these issues, and ultimately achieve Objective 10 (of the RPS). The PNRP needs to 'give effect' to these provisions. Repeating them is not considered sufficient as the NRP provisions need to implement the RPS framework Furthermore, the benefits of linear infrastructure can extend across regional boundaries, and should where possible be considered as a coherent whole, rather than being assessed on a piecemeal basis.	<ul style="list-style-type: none"> <li>■ Amend Objective O12: The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised <u>within the region and beyond</u>.</li> <li>■ Amend Objective O13: The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal-marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</li> </ul>
Beneficial Use and Development New Objective O13	Support with amendment	For this reason: <ul style="list-style-type: none"> <li>• an enabling objective is sought to provide for the ongoing use, operation, maintenance, upgrade and development of regionally significant infrastructure; and</li> <li>• an objective is sought to recognise that some regionally significant infrastructure has functional, operational and locational constraints.</li> </ul> <p>In addition, an amendment is sought to Objective 13 to reflect the fact that reverse sensitivity type effects are not exclusive to infrastructure which is located in the coastal marine area.</p>	<ul style="list-style-type: none"> <li>■ Add new objective: <u>The safe, effective and efficient use, operation, maintenance, upgrade and development of regionally significant infrastructure is provided for</u></li> <li>■ Add new Objective: <u>To recognise that regionally significant infrastructure represents appropriate use and development in all environments where there are functional needs and / or operational requirements</u></li> </ul>
Beneficial Use and Development New Objective		Vector notes that the current wording of Objective 18 implies that all such environments are degraded and this is unlikely to be the case.	<ul style="list-style-type: none"> <li>■ Amend Objective O18: The ecological, recreational, mana whenua, and amenity values of</li> </ul>
Beneficial Use and Development New Objective	Support with amendment		
Natural Character Form and Function:	Support with amendment		

Objective 18			estuaries including their sensitivity as low energy receiving environments are recognised, and their health and function is restored over time, <u>where degraded.</u>
Natural Character Form and Function: Objective 19	Oppose	Vector considers the objective is not consistent with effects based planning. Interference, such as dewatering for example, may be deemed to be interfering with natural processes, but it could be environmentally acceptable from an effects perspective.	<ul style="list-style-type: none"> <li>Delete Objective O19: The interference from use and development on natural processes is minimised.</li> </ul>
Natural Character, Form and Function Objective 20	Support	Vector supports the object which recognises that not all risks associated with natural hazards can be avoided, but rather the focus on is the acceptability of the effects and residual risks. Risk can be mitigated by design.	<ul style="list-style-type: none"> <li>Retain Objective 20: The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable.</li> </ul>
Natural Character Form and Function: Objective 21	Provisionally support	Vector notes the intent of the objective and that it would apply in the coastal marine area and the beds of lakes and rivers which as defined as high hazard areas. Vector seeks assurance that use and development associated with regionally significant infrastructure, and which often has functional and operational constraints and requirements, is appropriate.	<ul style="list-style-type: none"> <li>Retain Objective O21, subject to provisions which confirm that regionally significant infrastructure is appropriate as sought elsewhere in this submission:</li> </ul>
Natural Character Form and Function: Objective 22	Oppose	Vector may seek to use hard engineering solutions to protect its assets in the longer term. Using hard engineering solutions may result in less environmental effects rather than doing repeat minor works or constructing ineffective solutions. While there is a requirement to assess alternatives in some instances under the RMA, there is no mandatory requirement to do this in all instances.	<ul style="list-style-type: none"> <li>Delete Objective 22: Hard engineering mitigation and protection methods are only used as a last practicable option.</li> </ul>
Sites with significant values Objective 31	Support with amendment	Vector considers it critical to recognise that some infrastructure has functional needs and operational requirements. Vector therefore considers it appropriate and necessary to embed an enabling focus to the object.	<ul style="list-style-type: none"> <li>Amend Objective O31: Outstanding water bodies and their significant values are protected from <i>inappropriate use and development.</i></li> </ul>
Sites with Significant values: Objective 35	Support with amendment	Vector considers it appropriate and necessary to embed an enabling focus to the objective and also notes that the current wording of Objective 35 implies that all such environments are degraded and this is	<ul style="list-style-type: none"> <li>Amend Objective O35: Ecosystems and habitats with significant indigenous biodiversity</li> </ul>

		unlikely to be the case.	values are protected <i>from inappropriate use and development</i> and restored, <i>where degraded</i> .
Soil: Objective 43	Support with amendment	Vector considers that the effects of human health should be managed and regulated by the district / city councils under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health, not the regional council. The regional council holds the Selected Land Use Register and therefore the identification of such land should be recognised, as well as the management of activities on contaminated land, such as discharges from such land, which may cause adverse environmental effects.	<ul style="list-style-type: none"> <li>■ Amend Objective O43</li> </ul> <p>Contaminated land is <u>identified and managed</u> to protect human health and the environment <u>from contamination related effects</u></p>
<b>Chapter 4: Policies</b>			
Ki uta ki tai and integrated catchment management: Policy 4	Oppose	Vector is concerned with the need to reduce adverse effects of an activity to the 'smallest amount practicable'. Fundamentally, this is not the intent of the RMA. Vector believes that this policy should be re-focused to achieve the best practicable option / balance when considering environmental, social, cultural and economic factors.	<ul style="list-style-type: none"> <li>■ Amend the policy to focus on achieving the best practicable option, rather than minimising effects to the smallest amount practicable.</li> </ul>
Ki uta ki tai and integrated catchment management: Policy 5	Oppose	Vector seeks that this review of existing consents policy be deleted. Firstly it is set in statute and secondly it is more appropriate for inclusion at the resource consent application stage.	<ul style="list-style-type: none"> <li>■ Delete Policy 5</li> </ul> <p>The conditions of existing resource consents to discharge contaminants to fresh water or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1994 in respect of future changes to the Plan.</p>
Duration of consents: new policy		Vector seeks the inclusion of a new policy directing the duration of consents for regionally significant infrastructure. Generally speaking, and to provide certainty for projects, it is Vector's expectation that long term consents would be granted for such infrastructure.	<ul style="list-style-type: none"> <li>■ Add a new policy to provide direction on the duration of operational consents for infrastructure of regional significance.</li> </ul> <p><u>Resource consent durations for regionally significant infrastructure applications required under ss13, 14 and 15 of the RMA will generally be granted for the maximum period of time unless reasons are identified during the consent process that make this inappropriate.</u></p>
Beneficial use and development	Support with amendment	Vector supports the intent of the Policy but seeks amendments to better reflect its activities, operations and activities, and specifically:	<ul style="list-style-type: none"> <li>■ Amend Policy 12:</li> </ul>

Policy 12		<ul style="list-style-type: none"> <li>• provide an enabling context in addition to only recognising the benefits of the infrastructure. It remains unclear what only 'recognising' would entail;</li> <li>• acknowledge the investment value of infrastructure in light of the requirements of Section 104(2A) of the RMA; and</li> <li>• recognise the fact that some linear regionally significant infrastructure, such as the gas transmission system, is located over, under, within and adjacent to the beds of lakes and rivers.</li> </ul>	<p>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised <u>and provided for by having regard to taking into account:</u></p> <ul style="list-style-type: none"> <li>(a) . . . .</li> <li>(b) the <u>investment in, and the location of existing</u> infrastructure and structures, and</li> <li>(c) . . . .</li> <li>(d) the functional need for port activities <u>and other regionally significant infrastructure</u> to be located within the coastal marine area <u>and the coastal area</u>, and</li> <li>(e) <u>the functional need for regionally significant infrastructure to be located over, under, within and adjacent the beds of rivers and lakes, and</u></li> <li>(f) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</li> </ul>
Beneficial use and development Policy 13	Support with amendment	<p>Vector supports the intent of the Policy but notes that replacement and development of such infrastructure is absent. It is also unclear why the policy only relates to existing infrastructure as it should apply to existing and new.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 13:</li> </ul> <p>The use, operation, maintenance, <u>and upgrade replacement, and development of existing</u> regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</p>
Beneficial use and development Policy 14	Support with amendment	<p>Vector supports the intent of the Policy but seeks amendments to better protect its activities, operations and assets. It is noted the policy applies an 'avoid, remedy or mitigate' approach as opposed to only avoid and this approach is acceptable to Vector and seeks it be applied elsewhere in the PNRP.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 14:</li> </ul> <p>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects <u>which may compromise the efficient and effective use, maintenance, upgrading replacement or development of</u></p>



		<p><i>that infrastructure.</i></p>
<p>Maori Values Policy 19</p>	<p>Support with amendment</p>	<p>Vector supports the intent of the policy but has concerns that it fails to adopt an effects based approach. The policy introduces what is in-effect an ongoing focus to minimise effects, whereas the reality for infrastructure projects is often reaching a balanced, yet acceptable, level of effects between different values.</p>
<p>Maori Values Policy 21</p>	<p>Support with amendment</p>	<p>In a resource consent application process context, Vector notes the statutory acknowledgement would be had regard to and summaries of applications would be forwarded to trustees / members to provide the opportunity to provide comment. This is supported by Vector, especially in the context of Section 6(e) and 8 of the RMA. From an applicant perspective, it would be beneficial if a plan of the statutory acknowledgement areas was included in Schedule D. This would enable applicants to easily identify such areas assist in the identification of stakeholders / interested parties early on in project scoping exercises.</p>
<p>Natural form and function Policy 25</p>	<p>Support with amendment</p>	<p>Vector is generally supportive of the policy in that overall, it seeks to avoid, remedy or mitigate adverse effects on natural character in the coastal marine area and the beds of lakes and rivers. Vector is of the opinion that the policy can be simplified, as well as apply an effects-based approach, as opposed to the bottom-line approach. Vector generally supports the intent of Policy 25(d), but considers its focus should be amended to better reflect the RMA and also acknowledge that some development and use is appropriate e.g. infrastructure of regional importance.</p>
<p>Amend Policy P19: The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be <u>avoided, remedied or mitigated</u> minimised.</p> <p>Include a plan in Schedule D illustrating the statutory acknowledgement areas as well as contact details for iwi and hapu where appropriate.</p> <p>Amend Policy 25: Use and development shall avoid, <u>remedy or mitigate</u> significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, <u>and avoid, remedy or mitigate</u> other adverse effects of activities, taking into account: (d) whether it is practicable to protect natural character from inappropriate use and development through <u>the use and development is appropriate after considering:</u> (i) using <u>the use of</u> alternative locations, or form of development that would be more appropriate to that location; and (ii) <u>considering</u> the extent to which functional need or existing use limits location and development options.</p>		

			(iii) <u>Whether the use and development is regionally significant infrastructure</u>
Natural form and function Policy 26	Support with amendment	Vector considers the policy is not consistent with effects based planning. Development may interfere with natural processes, but it could be acceptable from an effects perspective.	<ul style="list-style-type: none"> <li>■ Amend Policy 26: Use and development will be managed to minimise <u>avoid, remedy or mitigate effects</u> on the integrity and functioning of natural processes.</li> </ul>
Natural form and function Policy 27	Support with amendment	Vector generally supports the policy subject to a number of amendments.	<ul style="list-style-type: none"> <li>■ Amend Policy 27: Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where: <ul style="list-style-type: none"> <li>(a) They have a functional need or operational requirement or there is no practicable alternative to be so located, and</li> <li>(b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and</li> <li>(c) the development does not cause or exacerbate natural hazards in other areas to an <u>unacceptable degree</u>; and</li> <li>(d) <del>interference with natural processes (coastal, fluvial and leastline processes) is minimised, and</del></li> <li>(e) . . .</li> </ul> </li> </ul>
Natural form and function Policy 28	Oppose	Vector opposes the policy (as well as the object (22) which the policy is seeking to achieve). Hazard mitigation measures must be fit for purposes and a presumption to avoid hard engineering solutions is not appropriate. From a cost perspective, hard solutions are typically more expensive and so soft options would be investigated where such design is fit for purpose in the local setting. Ultimately, it is the effects of those solutions which should form the basis of the policy intent. The policy should also contemplate new development, as well as existing development.	<ul style="list-style-type: none"> <li>■ Replace Policy 28: <u>Avoid, remedy or mitigate the environmental effects of natural hazards, ensuring that mitigation and protection methods reduce risk to existing and new development using the risk based approach.</u></li> </ul>
Biodiversity, aquatic ecosystem health and mahinga	Support with amendment	Vector supports the intent of the policy but considers parts of it can be deleted as it relates more to the objective which is trying to be achieved, as opposed what a policy should address i.e. how the objective will be	<ul style="list-style-type: none"> <li>■ Amend Policy 31: <u>Aquatic ecosystem health and mahinga kai shall be maintained or</u></li> </ul>

<p>kai Policy 31</p>		<p>achieved.</p> <p>While generally supportive of what it is trying to achieve, Vector questions the need for this policy as it describes specific measures and activities that should be minimised and avoided, whereas the intent of the policy should be managing effects – as Policy 32 does, albeit in the context of significant effects. Vector's concern is that it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure. This being the case, Vector believes that the terms 'minimise' and 'avoid' should be replaced with 'avoid', 'remedy' or 'mitigate', or alternatively provide a further sub-clause which recognises there may be functional and operational requirements associated with the use and development of resources.</p>	<p><del>referred to by</del> <del>Managing</del> the effects of use and development on physical, chemical and biological processes to <u>avoid, remedy or mitigate</u>:</p> <p>....</p> <p>[delete terms minimise and avoid in sub-policies]</p> <p>Or</p> <ul style="list-style-type: none"> <li>■ Add a new sub-clause to acknowledge that there may be functional and operational requirements associated with the use and development of resources.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>■ Delete Policy 31 and rely on Policy 32 to avoid, remedy or mitigate effects.</li> </ul>
<p>Biodiversity, aquatic ecosystem health and mahinga kai Policy 36</p>	<p>Support with amendment</p>	<p>Vector supports the intent of the policy but has concerns that it fails adopt an effects based approach. The policy introduces what is in-effect a focus to continually minimise effects, whereas the reality for large infrastructure projects is often reaching an acceptable and balanced level of effects between different values (e.g. the best practicable option).</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 36:</li> </ul> <p>The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be <u>avoided, remedied or mitigated</u> <del>minimised</del>.</p>
<p>Sites with significance Policy 39</p>	<p>Support with amendment</p>	<p>Vector supports the intent of the policy but has concerns in that it relates to all, not 'significant', adverse effects as some other policies do, and also that the term avoid sets a bottom line which is inconsistent with effects based planning.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 39:</li> </ul> <p>The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, or <u>remedied or mitigated</u> <del>where avoidance is not practicable</del>.</p>
<p>Sites with significant mana whenua values Policy 45</p>	<p>Support with amendment</p>	<p>Vector supports this policy to the extent that it contemplates a scenario whereby effects may not be able to be avoided and furthermore, sets a process whereby effects can be assessed. Vector has concerns in respect of policy wording related to the adverse effects being managed with tikanga and kaupapa Maori as recommended in the cultural impact assessment, and also that the written consent of the authority be</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 45:</li> </ul> <p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided <u>where practicable</u>. If the site cannot be avoided, more than minor adverse effects on the significant mana whenua values must be evaluated through a cultural</p>

		<p>obtained. These may not be achievable, especially in the context of a large infrastructure project. Cultural effects need to be balanced with other effects (inclusive of positive effects) and to set what is in effect a bottom-line requirement is inappropriate.</p>	<p>impact assessment undertaken by the relevant iwi authority or iwi authorities. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Māori <u>and where practicable shall take into consideration any as recommendations</u> <del>ed</del> in the cultural impact assessment by:</p> <ul style="list-style-type: none"> <li>(a) avoiding more than minor adverse effects, and</li> <li>(b) where more than minor adverse effects cannot be avoided, remedying them, and</li> <li>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</li> <li>(d) <del>receiving written consent of the iwi authority.</del></li> </ul> <p><del>Where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant mana whenua values is inappropriate.</del></p>
<p>Managing ambient Air Quality Policy P52</p>	<p>Support with amendment</p>	<p>Vector has an operational requirement to discharge natural gas to air e.g. tie-in works and at delivery point as explained earlier in this submission. Natural gas is odourless, therefore, for health and safety reasons, an odorant is added to the gas to enable detection. The discharge of gas is managed to minimise adverse effects, and that being the case, Vector is generally supportive of policy 52(c).</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 52:</li> </ul> <p>Ambient air quality shall be managed to protect human health and safety by:</p> <ul style="list-style-type: none"> <li>(a) . . . .</li> <li>(c) managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are <u>avoided, remedied or mitigated</u> <del>mitigated</del>.</li> </ul>
<p>Managing Air Amenity Policy 55</p>	<p>Support subject to amendment</p>		<ul style="list-style-type: none"> <li>■ Amend Policy 55:</li> </ul> <p>Air quality amenity in urban, rural and the coastal marine areas shall be managed to <u>minimise so that</u> offensive or objectionable odour, smoke and particulate matter, fumes, ash and visible emissions <u>are minimised to the extent practicable</u>.</p>
<p>Discharges to land and water Policy 62</p>	<p>Support</p>	<p>Vector notes that some of its construction activities may be assessed under this policy (e.g. dewatering for example). Vector generally</p>	<ul style="list-style-type: none"> <li>■ Retain Policy 62:</li> </ul>

Discharges to water Policy 67	Support	<p>supports the intent of the policy which promotes land based discharges. Vector believes sufficient flexibility is provided in the policy where land based discharges are not possible or practicable.</p> <p>Vector generally supports the intent of the policy. In doing so, it notes that it would have difficulty in meeting sub policy (a) and avoiding the production of contaminants from naturally occurring contaminants within the soils (Kapiti Coast having a high level of iron oxide for example), but that (a), (b) and (c) are following by the word 'or' which means that sub policy (d) can also apply. Vector adopts this approach of minimising the effects of discharges.</p>	<p>The discharge of contaminants to land is promoted over direct discharges to water, particularly where there are adverse effects. . . .</p> <ul style="list-style-type: none"> <li>■ Retain Policy 67:</li> </ul> <p>The adverse effects of discharges of contaminants to land and water will be <u>avoided, remedied or mitigated</u> minimised by:</p> <ul style="list-style-type: none"> <li>(a) avoiding the production of the contaminant, and/or</li> <li>(b) reusing, recovering or recycling the contaminant, and/or</li> <li>(c) minimising the volume or amount of the discharge, and/or</li> <li>(d) using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and</li> <li>(e) irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.</li> </ul>
Discharges to water Policy 72	Support with amendment	<p>Vector notes the term zone of reasonable mixing is defined in the PNRP with a specific meaning which sets its extent. The policy is at odds with the definition and clarification is sought on this.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 72:</li> </ul> <p>Where not otherwise permitted by a rule, the zone of reasonable mixing <del>shall be minimised</del> and will be determined on a case-by-case basis. In determining the zone of reasonable mixing, particular regard shall be given to. . . .</p>
Discharges to water Policy 73	Support with amendment	<p>Vector supports the intent of the policy but has concerns that it fails adopt an effects based approach. The policy introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable, then there should be no on-going requirement to minimise effects.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 73:</li> </ul> <p>The adverse effects of stormwater discharges shall be minimised <u>to the extent practicable</u>, including by: . . . .</p>
Contaminated land Policy 89	Support with amendment	<p>Vector generally supports the intent of the policy but notes it introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable (i.e. remediated), then there should be no on-going requirement to minimise</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 89:</li> </ul> <p>The discharge of hazardous substances from contaminated land, including closed landfills, is managed so that the significant-adverse</p>

<p>Earthworks and vegetation clearance Policy 97</p>	<p>Support with amendment</p>	<p>effects. Vector notes that the contaminated land policy does not address human health and this is supported. This is an issue for the district / city councils as opposed to the regional council. While generally supportive of the intent of the policy, Vector does not support the focus on minimise effects as it introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable, then there should be no on-going requirement to minimise effects. The focus should be on avoiding, remedying and mitigating to provide an enabling framework. Vector supports the notion of using good management practices.</p>	<p>effects on fresh water, including groundwater, <u>freshwater</u>, coastal water, and air <del>is</del> <u>are avoided or remedied, or where this is not possible mitigated to the extent practicable minimised.</u></p> <p>■ Amend Policy 97: The discharge of sediment to surface water bodies and coastal water from earthworks activities shall be <u>minimised avoided, remedied or mitigated to the extent practicable</u> by using a source control approach. Good management practices shall be used in site management, erosion and sediment control design operation and maintenance. <del>in order to minimise the adverse effects of sediment-laden stormwater discharges.</del></p> <p>Effects that cannot be minimised may be appropriately offset.</p>
<p>Activities in beds of lakes and rivers Policy 102</p>	<p>Support with amendment</p>	<p>Vector supports the intent of Policy 102(d) which provides an enabling framework for the reclamation or drainage of the beds of lakes and rivers where necessary for the development, operation, maintenance and upgrading of regionally significant infrastructure. It considers the term 'use' should also be included.</p>	<p>■ Amend Policy 102(d): (d) necessary to enable the <u>safe, efficient and effective use</u>, development, operation, maintenance and upgrade of regionally significant infrastructure, (e) . . . (f) In respect of (a) to (e), <u>the method selected is the best practicable option of providing for the activity there are no practicable alternative methods of providing for the activity</u>;-or</p>
<p>Activities in beds of lakes and rivers Policy 105</p>	<p>Support with amendment</p>	<p>Vector supports the intent of this policy to the extent that it protects trout habitat. However, Vector is concerned the policy introduces what is in-effect a continual requirement to minimise effects. Where effects have been avoided, remedied or mitigated to the extent they are acceptable, then there should be no on-going requirement to minimise effects.</p>	<p>■ Amend Policy 105 by adding 'to the extent practicable' to the end of sub clauses (b) and (e)</p>
<p>Site Dewatering Policy 126</p>	<p>Support with amendment</p>	<p>Vector supports the intent of this Policy as in some areas where Vector works are required, dewatering is essential (i.e. Kapiti Coast). However,</p>	<p>■ Amend Policy 126 Localised land subsidence or adverse effects of dewatering on existing</p>

		Vector is concerned the policy introduces what is in-effect a continual requirement to minimise effects. Where effects have been avoided, remedied or mitigated to the extent they are acceptable, then there should be no on-going requirement to minimise effects	groundwater users or the flows, levels or quality of surface water shall <u>minimised be avoided to the extent practicable.</u>
<b>Chapter 5: Rules</b>			
Abrasive blasting outside an enclosed booth – Rule 26	Support	Vector supports this pragmatic rule. A note should be added to provide clarity on what a noxious, dangerous, offensive or objectionable discharge is – refer to submission on Rule 27 or alternatively add it to the definitions to avoid repetition.	<ul style="list-style-type: none"> <li>■ Retain Rule 26: The discharge of contaminants into air from dry or wet abrasive blasting outside an enclosed area is a permitted activity, provided the following conditions are met: <ul style="list-style-type: none"> <li>(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</li> <li>(b) the operation of a mobile abrasive blasting unit used at one property is no more than 10 days in any 12 month period, and</li> <li>(c) abrasive blasting shall only be undertaken when it is impracticable to remove or dismantle or transport a fixed object or structure to be cleaned in an abrasive blasting booth, and</li> <li>(d) if the blasting is dry abrasive blasting, the blasting materials shall only be garnet, sodium bicarbonate, crushed glass, or agricultural materials including crushed corn cobs or walnuts, and</li> <li>(e) if the blasting is wet abrasive blasting, the blasting shall only use water, and</li> <li>(f) the free silica content of a sample of the blasting material shall not exceed 5% by weight, and</li> <li>(g) all work areas and surrounding areas are kept clean and substantially free of accumulations of deposited material and other debris.</li> </ul> </li> </ul>
Gas, water and wastewater processes Rule 34	Support with amendment	Vector supports the intent of the rule, including not using the 'property boundary' as a default permitted activity standard. In addition, Vectors considers an enabling provision for the temporary discharge of gas, including the odorant added to the gas to enable detection, should be enabled to acknowledge its activities such as tie-in works and venting to delivery stations.	<ul style="list-style-type: none"> <li>■ Amend Rule 34 The discharge of contaminants into air from the storage, conveyance and pumping of gas, water and wastewater is a permitted activity, provided the following conditions <u>are</u> met: <ul style="list-style-type: none"> <li>(a) the discharge shall not cause offensive or objectionable odour at the boundary of a sensitive activity;</li> </ul> </li> </ul> <p><i>Note: for the purposes of this rule, an <u>offensive or objectionable odour</u></i></p>

			<p><i>is an odour that is considered to be offensive or objectionable by at least two independent observers; including at least one suitably trained Council officer, after considering the FIDOL (Frequency, Intensity, Duration, Offensiveness and Location).</i></p>
All other discharges to Rule 41	Support	<p>Vector supports a catch-all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.</p>	<ul style="list-style-type: none"> <li>■ Retain the catch-all discretionary activity status.</li> </ul>
Minor Discharges to Water Rule 42	Support	<p>Vector generally supports Rule 42 which provides for minor discharges (i.e. those not otherwise covered by the plan rules), particularly the inclusion of dewatering as a permitted activity subject to not being from a contaminated land.</p>	<ul style="list-style-type: none"> <li>■ Retain Rule 42</li> </ul> <p>The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met: . . . . .</p> <ul style="list-style-type: none"> <li>(c) if the discharge is from dewatering, the discharge is not from contaminated land, and . . . .</li> </ul>
Discharge of water to water Rule 43	Support	<p>Vector supports the enablement of the discharge of water to water as a permitted activity as there are negligible effects associated with this activity, subject to compliance with the listed conditions. Vector sometimes undertakes hydro tests which require such activity to be undertaken.</p>	<ul style="list-style-type: none"> <li>■ Retain Rule 43.</li> </ul> <p>The discharge of water into water is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) the discharge is to the same water body or area of coastal water it was taken from, and</li> <li>(b) the quality of the discharged water is the same as or better than the quality of the water body or area of coastal water it was taken from, and</li> <li>(c) the discharge shall not cause a change in temperature of more than 2°C in the receiving water after the zone of reasonable mixing, and</li> <li>(d) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.</li> </ul>
Stormwater from an	Support	<p>Vector supports intent of the rule which provides for the discharge of</p>	<ul style="list-style-type: none"> <li>■ Retain Rule 48.</li> </ul>



individual property Rule 48		stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property as a permitted activity.	
All other stormwater – Rule 53	Support	Vector supports a catch–all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 53: The discharge of stormwater into water or onto or into land where it may enter water that is not permitted by Rules R48 or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51 or R52, is a discretionary activity.</li> </ul>
Discharges inside sites of significance Rule 67	Oppose	Vector seeks a catch–all discretionary activity status for discharges from regionally significant infrastructure inside sites of significance. Vector considers this appropriate as the NRP must give effect to the RPS which requires such infrastructure to be recognised and provided for. Vector considers an enabling framework is required in this context.	<ul style="list-style-type: none"> <li>■ Amend Rule 67: The discharge of water or contaminants into water, or onto or into land where it may enter water: <ul style="list-style-type: none"> <li>(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and</li> <li>(b) that is not permitted by Rules R42, R43, R44 or R45;</li> <li>(c) <u>that is not a discharge associated with a regionally significant infrastructure</u></li> </ul> </li> </ul>
All other discharges to water - Rule 68	Support	Vector supports a catch–all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 68.</li> </ul>
Discharge of minor contaminants to land Rule 69	Support	Vector generally supports the intent of the rule which enables the discharge of minor contaminants as a permitted activity.	<ul style="list-style-type: none"> <li>■ Retain rule 69.</li> </ul>
All other discharges to land - Rule 93	Support	Vector supports a catch–all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 93.</li> </ul>
Earthworks and vegetation clearance Rule 101	Support	Vector supports a catch–all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 101</li> </ul>

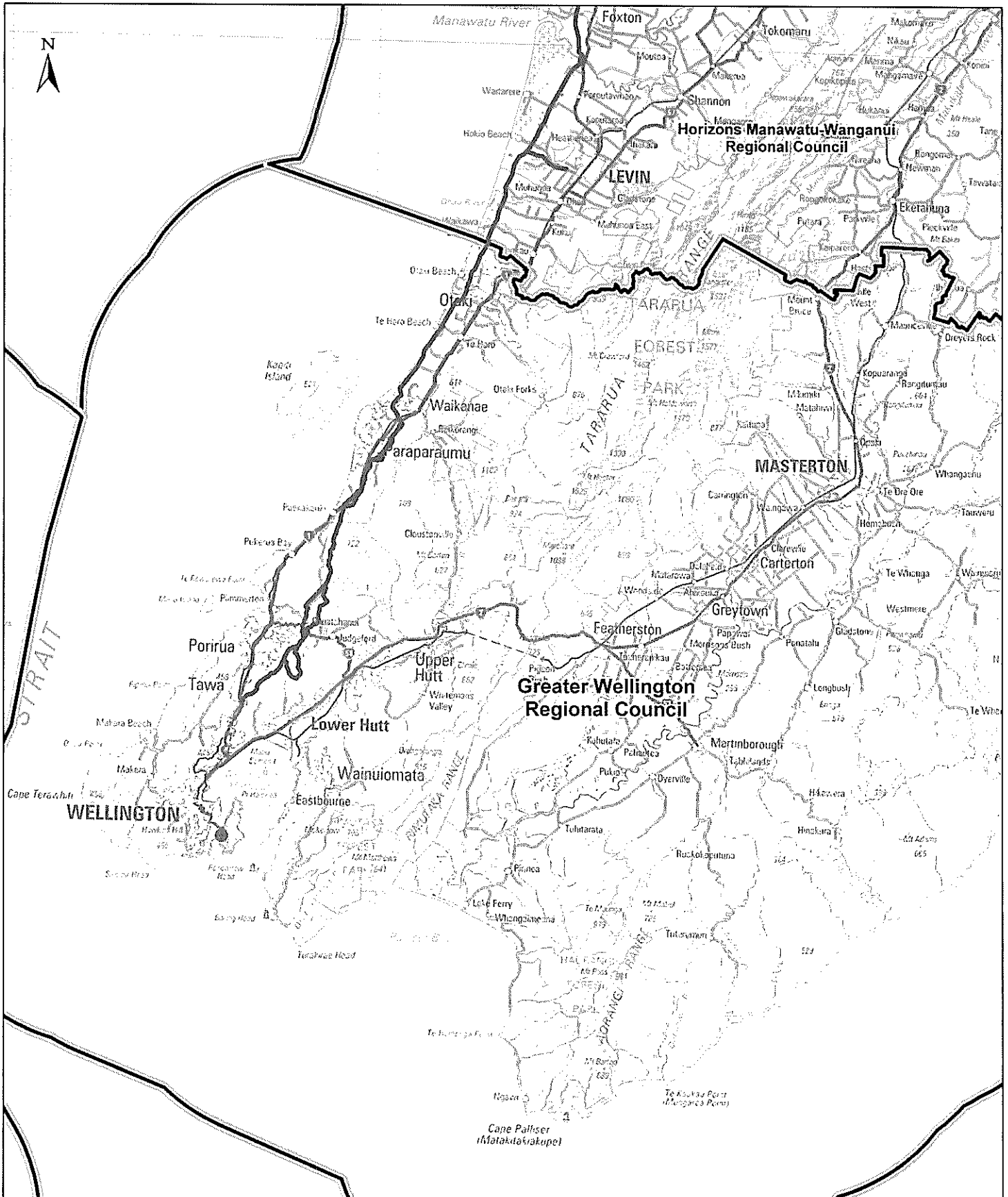
Existing structures in all wetlands - new rule	Vector seeks the inclusion of a rule which provides for existing structures as a permitted activity.	<ul style="list-style-type: none"> <li>■ Add a new rule for existing structures in all wetlands <u>Existing permitted or otherwise lawfully established structures in any wetland existing at the date of notification of the Proposed Natural Resources Plan, and the use of those structures, is a permitted activity.</u></li> </ul>
Activities in natural wetlands and significant natural wetlands Rule R107	Support with amendment	<ul style="list-style-type: none"> <li>■ Amend Rule 107: The following activities in a natural wetland or significant natural wetland except for those stipulated in and carried out in accordance with a restoration management plan under Rule R106: <ul style="list-style-type: none"> <li>(a) the placement of new structures with a footprint of 10m2 or greater for the purpose of hunting and recreation (including maimai and jetties), and all other structures. . . .</li> <li>(b) <u>the operation, maintenance, replacement, upgrade and development of regionally significant infrastructure</u></li> </ul> </li> </ul>
Activities in outstanding natural wetlands Rule 109	Support	<ul style="list-style-type: none"> <li>■ Retain Rule 109 as it relates to the maintenance, repair and replacement of existing structures.</li> </ul>
Existing structures in all rivers and lakes - new rule	Vector seeks the inclusion of a rule which provides for existing structures as a permitted activity.	<ul style="list-style-type: none"> <li>■ Add a new rule for existing structures in all rivers and lakes: <u>Existing permitted or otherwise lawfully established structures in any river or lake existing at the date of notification of the Proposed Natural Resources Plan, and the use of those structures, is a permitted activity.</u></li> </ul>
Activities in beds of lakes and rivers Rule 112	Support with amendment	<ul style="list-style-type: none"> <li>■ Amend Rule 112: The maintenance, repair, replacement, upgrade or use of a structure</li> </ul>

		<p>respect of sub-clause f) due to the nature of pipes and the inability for them to be contained within the form of the existing structure.</p>	<p>or a part of a structure (excluding the Barrage Gates) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</li> <li>(f) the resulting structure is contained within the form of the existing structure, <i>excluding any cable, pipe or duct</i>, or</li> <li>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of: <ul style="list-style-type: none"> <li>(i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or</li> <li>(ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</li> </ul> </li> </ul>
<p>All other activities in river and lake beds Rule 129</p>	<p>Support</p>	<p>Vector supports a catch-all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.</p>	<ul style="list-style-type: none"> <li>■ Retain Rule 129</li> </ul>
<p>Dewatering Rule 140</p>	<p>Support with amendment</p>	<p>Vector supports the intent of the rule to the extent that it enables dewatering as a permitted activity subject to conditions. However, Vector has concerns with sub-clause (d) to the extent that dewatering by its very nature does deplete water e.g. groundwater resources, meaning that the standard could never be complied with. Noting that surface waterbodies would likely be 'dewatered' via diversions to enable construction works, Vector seeks an amendment to reflect the issue raised with dewatering groundwater resources.</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 140:</li> </ul> <p>The take of water and the associated diversion and discharge of that water for the purpose of dewatering a site, including but not limited to, maintenance, excavation, construction or geotechnical testing, is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) the take continues only for the time required to carry out the work but does not exceed one month, and</li> <li>(b) the take and diversion and discharge is not from, onto or into</li> </ul>

			<p>contaminated land or potentially contaminated land, and</p> <p>(c) the take does not cause ground subsidence, and</p> <p>(d) the take does not <i>permanently</i> deplete water in a water body, and</p> <p>(e) there is no flooding beyond the boundary of the property.</p> <p>Note</p> <p>Discharges to water, or onto or into land where it may enter water related to dewatering are provided for by Rule R42.</p> <p>■ Retain Rule 142:</p> <p>The take and use of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity is a discretionary activity.</p>
<p>All other takes and use – Rule 142</p>	<p>Support</p>	<p>Vector considers a default discretionary activity is appropriate for the activities this rule seeks to regulate. A discretionary activity status appropriately provides an enabling framework for regionally significant infrastructure. It is appropriate that the PNRP recognises and provides for regionally significant infrastructure.</p>	<p>■ Amend Rule 146:</p> <p>The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore is a permitted activity, provided the following conditions are met:</p> <p>(a) the bore is not located within a community drinking water supply protection area shown on Map 26, Map 27a, Map 27b, or Map 27c, and</p> <p>(b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property.</p>
<p>Drilling, construction or alteration of any</p>	<p>Support with amendment</p>	<p>Vector generally supports the rule in that it enables geotechnical bores as a permitted activity, subject to conditions.</p>	<p>■ Amend Rule 147:</p> <p>The use of land and the associated diversion and discharge of water or</p>
	<p>Support with amendment</p>	<p>Vector generally supports the controlled activity rule which provide certainty for applicants.</p>	<p>The use of land and the associated diversion and discharge of water or</p>

bore – Rule 147			<p>contaminants for drilling, construction or alteration of a bore (other than a geotechnical investigation bore permitted in Rule R146) is a controlled activity, provided the following conditions are met:</p> <p>(a) the bore is not associated with hydrocarbon exploration or production, and</p> <p>(b) the bore is constructed and operated in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</p>
Drilling, construction or alteration of any bore – Rule 148	Support with amendment	Vector supports the catch –all discretionary activity status in that it provides an enabling framework.	<ul style="list-style-type: none"> <li>■ Amend Rule 148</li> </ul> <p>The <del>use of land and the associated</del> diversion and discharge of water or contaminants for drilling, construction or alteration of a bore that is not permitted by Rule R146 or controlled by Rule R147 is a discretionary activity.</p>





**Key**

— High Pressure Pipeline

— Regional Boundary

**TERRITORIAL AUTHORITY MAP**

**WELLINGTON REGION**

REFERENCE DRAWINGS:	ORIGINAL SCALE:	JOB NO.	SERIES	ORG NO.	SHEET	REV.
	NOT TO SCALE	GIS	G0210	010	01	A
NOTES:						
1. Coordinates are in terms of New Zealand Map Grid 1949 projection.						
2. Cadastral information from Land Information New Zealand's Core Record System (CRS). CROWN COPYRIGHT RESERVED.						
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A	ISSUED FOR INFORMATION	GH	TW	-	01/11	
REV.	DESCRIPTION	DRAWN	CHKD	APPR	DATE	



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Proposed Natural Resources Plan:

Submitter:

**NZ Transport Agency**

Submitter Number:

**S146**

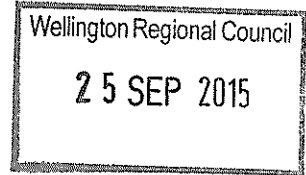


**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)



**Your details**

Full name: \_\_\_\_\_  
 Organisation name: \_\_\_\_\_  
 (If applicable) The New Zealand Transport Agency  
 Address for Service: C/o Beca Ltd, PO Box 3942, Wellington 6140

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 027 463 3031  
 Contact person: Hywel Edwards  
 Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: [hywel.edwards@beca.com](mailto:hywel.edwards@beca.com)

**Trade competition**

- I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]
- I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:
- I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
  - I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/section number): Refer attachment	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Hywel Edwards

Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

25 September 2015

Wellington Regional Council  
[via email]

**NZ Transport Agency Submission on the Proposed Natural Resources Plan for the Wellington Region**

Please find attached a submission prepared by the New Zealand Transport Agency on the Proposed Natural Resources Plan for the Wellington Region.

Please contact me or Hywel Edwards (C/- Beca Ltd) if you wish to discuss the contents of the submission.

Yours sincerely

THE NEW ZEALAND TRANSPORT AGENCY



**Caroline Horrox**  
*Principal Planning Advisor - Central*





**Submission by the New Zealand Transport Agency**

**Proposed Natural Resources Plan for the Wellington  
Region**

**25 September 2015**

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**Submission on the Proposed Natural Resources Plan for the  
Wellington Region under Clause 6 of Schedule 1, Resource  
Management Act 1991**

**To** Greater Wellington Regional Council (Council)  
**Name of submitter:** NZ Transport Agency (the Transport Agency)

The Transport Agency is making this submission in accordance with Clause 6 of Schedule 1, Resource Management Act 1991.

The Transport Agency:

- could not gain an advantage in trade competition through this submission;
- wishes to be heard in support of its submission; and
- would be prepared to consider presenting a joint case at any hearing if others make a similar submission.

The specific provisions of the Proposed Natural Resources Plan that the Transport Agency's submission relates to are detailed in the attached - Schedule One.

**Address for service of submitter:** c/- Beca Limited  
PO Box 3942  
Wellington 6140

**Telephone:** +64 4 550 5933

**Mobile:** +64 27 463 3031

**Email:** Hywel.Edwards@beca.com

**Contact person:** Hywel Edwards, Associate - Planning



.....  
**Lyndon Hammond - Regional Manager Planning & Investment on behalf of the  
Transport Agency**

**Date:** 25 September 2015



## **1 Role of the Transport Agency**

The Transport Agency is a Crown Entity established by section 193 of the Land Transport Management Act 2003 (LTMA). The Transport Agency's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest.

The Transport Agency's interest in the Proposed Natural Resources Plan (PNRP) stems from its roles as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand;
- A planner of the land transport network to integrate one effective and resilient network for customers;
- A provider of access to, and use of, the land transport system to shape smart, efficient, safe and responsible transport choices; and
- The manager of the State Highway to deliver efficient, safe and responsible highway solutions for customers.

The Transport Agency is a significant investor in the infrastructure and transport planning required to achieve the land use change and growth anticipated in the region

The Transport Agency has a mandate under the LTMA, the Government Rooding Powers Act 1989 and the Government Policy Statement on Land Transport Funding to carry out its functions in a way that delivers the transport outcomes set by the Government. These outcomes are:

- Transport that is effective in moving people and freight where they need to go in a timely manner;
- Transport that is efficient, delivering the right infrastructure and services to the right level at the best cost;
- A transport system that is safe and responsible , reducing the harms from transport; and
- A transport system that is resilient, able to meet future needs and endure shocks.

## **2 Strategic Context**

### **2.1 Government Policy Statement on Land Transport**

The Government Policy Statement on Land Transport (GPS) sets out the government's priorities for expenditure from the National Land Transport Fund over the next 10 years. The GPS is the Government's main lever for setting priorities and funding levels for land transport investment.

The three key priorities in the GPS 2015 are:

- Economic growth and productivity;
- Road safety; and
- Value-for-money.

The GPS also contains six national land transport objectives; for a land transport system that:

- addresses current and future demand;
- provides appropriate transport choices;
- is reliable and resilient;
- is a safe system, increasingly free of death and serious injury;

- mitigates the effects of land transport on the environment; and
- delivers the right infrastructure and services to the right level at the best cost.

## 2.2 National Land Transport Programme 2015 – 2018

The National Land Transport Programme for 2015–18 (NLTP) contains all the land transport activities, including public transport, road maintenance and improvement, and walking and cycling activities, that the Transport Agency anticipates funding over the next three years.

The NLTP focuses on four themes, underpinned by the continued emphasis on value for money:

- encouraging economic growth and productivity;
- making journeys safer;
- shaping smart transport choices; and
- effective and resilient networks.

The NLTP's three year programme supports the development of the transportation system across New Zealand's regions and the linkages between major cities. The NLTP forecasts a \$13.9 billion expenditure in the period to 2018, marking a 15% increase compared to the previous NLTP.

## 2.3 Delivery of the NLTP in the Wellington region

The Wellington region is made up of a number of cities, urban areas and supporting rural hinterland. Wellington City is a key transport connection between the North and South Islands. The compact nature of Wellington City and constrained corridors to and from Kapiti and the Hutt Valley has shaped the transport network.

The major road and commuter rail links are concentrated along two transport corridors, State Highway 1 to the west, and State Highway 2 to the east. However, on the road network a number of pinch points, including Ngauranga Gorge interchange, and a lack of alternative routes limit the capacity and resilience of the network, particularly at peak times. Public transport plays an important role in moving people through these corridors.

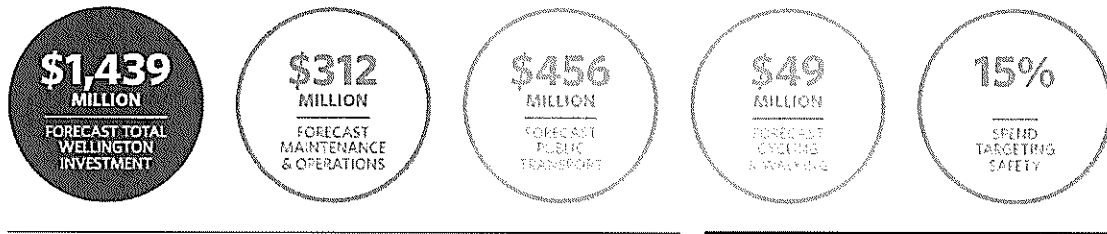
Central Wellington has the highest concentration of employment in New Zealand. Over 73,000 people travel to and from the Wellington CBD to work each day, by public transport, car, cycling or walking. This creates a significant commuter peak. Improving travel time reliability is a key focus of investment for the Wellington region in the 2015-18 National Land Transport Programme (NLTP) period.

Key strategic responses for the Wellington region have been identified as:

- Growing public transport;
- Encouraging cycling and walking;
- Investing in freight efficiency;
- Improving network resilience;
- Maintaining the network;
- Making journeys safer; and
- Making journeys more predictable.

These strategic responses for the Wellington region require financial investment. A total of \$1,439 million has been forecast, as noted in **Figure 1** below.

**Figure 1: Forecast Total Wellington Investment**



**Figure 2** below illustrates where the key routes (and required investments) are located within the Wellington region. **Figure 2** illustrates some of the key specific maintenance and operations, public transport, cycling and walking and safety projects which are to be designed and constructed within the term (10 year period) of the PNRP.

An enabling framework for these projects (and the associated activities) is required to be established in the PNRP.

## 2.4 Wellington Regional Land Transport Plan 2015

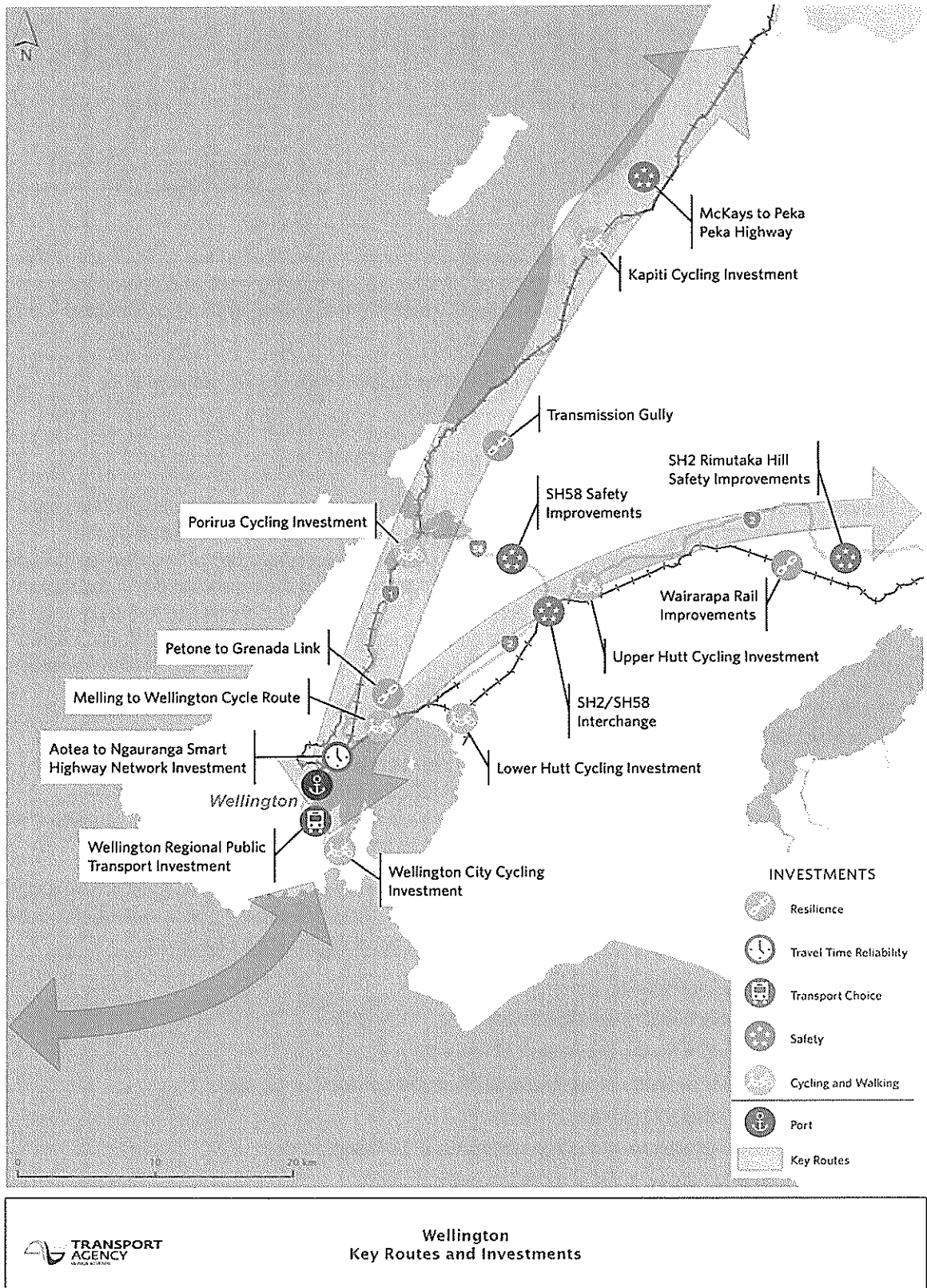
The Regional Land Transport Plan (RLTP) is a statutory document that must be issued every six years and reviewed every three years as required by the LTMA) 2003. It is prepared by the Regional Transport Committee (RTC), which is a joint committee comprised of two representatives from Greater Wellington Regional Council (GWRC), the mayors of the local councils in the region, and the regional director of the NZ Transport Agency. The RLTP must contribute to the purpose of the LTMA which seeks 'an effective, efficient, and safe land transport system in the public interest'. It is also required to be consistent with the Government Policy Statement (GPS) on land transport.

The RLTP comprises two key parts. The **strategic context** provides the policy framework and strategic case for developing and investing in the region's land transport network. The **regional programme** sets out the programme of proposed land transport activities for at least a ten year period. The RLTP also includes an assessment of how the plan meets the various statutory requirements in the LTMA, together with a description of the approach to monitoring, variations, and a policy outlining when a variation will be considered to be significant.

The Wellington RLTP Vision is '*to deliver a safe, effective and efficient land transport network that supports the region's economic prosperity in a way that is environmentally and socially sustainable*'. The vision is sought be achieved through meeting the following strategic objectives:

- A high quality, reliable public transport network;
- A reliable and effective strategic road network;
- An effective network for the movement of freight;
- A safer system for all users of our regional transport network;
- An increasingly resilient transport network;
- A well planned, connected and integrated transport network;
- An attractive and safe walking and cycling network; and,
- An efficient and optimised transport system that minimises the impact on the environment.

Figure 2: Key Routes and Investments for the Wellington Region



### **3 RMA legislation to be 'given effect' to in the PNRP**

Under Section 67(3) of the RMA, the PNRP must 'give effect' to:

- any national policy statement;
- New Zealand coastal policy statement; and
- any regional policy statement.

The content and directions give in these statements have a direct relevance to the content of the PNRP and also the Transport Agency's activities and operations.

#### **3.1 National Policy Statement for Freshwater Management 2014**

The National Policy Statement for Freshwater Management 2014 (**NPS – Freshwater**) provides a national framework that directs how regional councils are to set objectives, policies and rules about freshwater in their regional plans. This is to be done through establishing Freshwater Management Units and identifying values that the communities hold for the water in those areas.

The NPS – Freshwater requires councils to account for all water taken out of rivers, lakes and groundwater and the sources and amounts of contaminants going into them. 'Ecosystem health' and 'human health for recreation' are compulsory national values and must be provided for everywhere. The NPS – Freshwater includes nationally-set minimum acceptable states for these two values which are called national bottom lines. Councils are required to maintain or improve water quality within their regions.

The NPS – Freshwater is of particular relevance to the Transport Agency's construction, operation and maintenance activities and ultimately the discharge of contaminants, including stormwater, to freshwater receiving environments from those activities.

#### **3.2 New Zealand Coastal Policy Statement 2010**

The New Zealand Coastal Policy Statement 2010 (**NZCPS**) includes policies in order to achieve the purpose of the RMA (sustainable management) in relation to the coastal environment. The NZCPS includes both protective and enabling provisions relating to the coastal environment, including:

- **Policy 6** which manages activities in the coastal environment and, amongst other matters:
  - recognises that the provision of infrastructure is an activity important to the social, economic and cultural well-being of people and communities (Policy 6.1.a); and
  - recognises that there activities that have a functional need to be located in the coastal marine area and that those activities should be provided for in appropriate places (Policy 6.2.c);
- **Policy 10** which manages reclamation of land in the coastal marine area and enables such activity where appropriate (Policy 10.1 and Policy 10.3);
- **Policy 19** which recognises public expectations for walking access to and along the coast;
- **Policy 21** which seeks to improve the quality of degraded coastal waters;
- **Policy 22** which seeks to manage sedimentation levels and impacts; and
- **Policy 23** which seeks to manage discharges to the coastal environment, inclusive of reducing contaminant loadings at source and promoting integrated management of catchments and stormwater networks (Policy 23.4).

The NZCPS is of particular relevance to the Transport Agency's construction, operation and maintenance activities where those assets and proposed works are located within the coastal environment. The 'coastal environment' is has a broad meaning as described in the NZCPS. The

influence of the NZCPS has recently been highlighted in the Supreme Court's decision in King Salmon – in the sense that the policies which seek to avoid effects (Policies 13 and 15) have been interpreted to mean just that – avoid any effects. It is acknowledged that the King Salmon case related to a proposed plan change as opposed to a resource consent which would be subject to Part 2 of the RMA under Section 104.

### **3.3 Wellington Regional Policy Statement 2013**

The Wellington Regional Policy Statement (**RPS**) was made operative on 24 April 2013. The RPS identifies the regionally significant issues around the management of the regions' natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods). Regional (and district) plans and the Regional Land Transport Strategy are required to 'give effect' to Policies 1-34 of the RPS. Policies 35-60 of the RPS are to be considered by councils when considering applications for resource consent or a change, variation or review of regional (and district) plans.

#### **3.3.1 Strategic Transport Network - Regionally Significant Infrastructure**

The RPS recognises the 'Strategic Transport Network' as regionally significant infrastructure<sup>1</sup>. The 'Strategic Transport Network' is made up of the region's key railway lines, state highways and those major local roads serving an arterial purpose. A key function of the Strategic Transport Network is linking the region's centres and important destinations such as the Wellington City CBD, regional centres, CentrePort and Wellington International Airport and Wellington's regional hospital in Newtown, in addition to connecting the Greater Wellington region with the rest of New Zealand.

In a roading context, this includes State Highways 1, 2, 53, 58 and the Transmission Gully Motorway and numerous strategic local roads within the various districts within the Wellington Region.

#### **3.3.2 Infrastructure Objectives and Policies**

**Objective 10** of the RPS is that the social, economic, cultural and environmental benefits of regionally significant infrastructure are recognised and protected. The following policies seek to achieve Objective 10 via regional plan implementation and making decisions on resource consent applications:

- **Policy 7:** recognising the benefits from renewable energy and regionally significant infrastructure in regional (and district) plans;
- **Policy 8:** protecting regionally significant infrastructure in regional (and district) plans; and,
- **Policy 39:** recognising the benefits from regionally significant infrastructure when making decisions on resource consent applications and plan changes, variations and reviews.

#### **3.3.3 Discharge related Objectives and Policies**

Balanced against the enabling infrastructure provisions, the RPS also contains a range of protective objectives and policies relating to landscape, habitat, ecosystem and amenity values. Outcomes seeking to be achieved for those values are to be achieved by a range of methods, including via implementation of the regional plan.

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<sup>1</sup> As defined by the Wellington Regional Land Transport Strategy 2007 – 2016, Appendix 1, page 61.

## 4 Assets, Operations and Activities in the Wellington Region

### 4.1 Roads of National Significance in the Wellington Region

The Roads of National Significance (RoNS) are routes that have been identified by the Government as being critical to improving economic growth and productivity. There are seven RoNS projects serving the five largest population centres and they form a key part of the Government's National Infrastructure Plan and the Government's policy statement on land transport. This policy direction is the basis of the investment priorities outlined in the National Land Transport Programme (NLTP).

The Wellington Northern Corridor RoNS programme is to develop the SH1 route between Wellington Airport and north of Levin to provide safe, efficient and reliable travel for people and freight between and within centres. The Wellington RoNS improvements are being constructed across different sections as noted in Table 1 below.

Notably, in the context of the PNRP, the Transmission Gully project has had a direct influence on the policy content of the currently operative Freshwater Regional Plan.

**Table 1: RoNS Projects in the Wellington Region**

Section	Length (km)	Description	Estimated Completion Date
Airport to Mount Victoria Tunnel	2 km	Duplication of the Mt Victoria Tunnel and the widening of Ruahine Street and Wellington Road.	2022
"Tunnel to Tunnel"	3 km	Transport improvements between Terrace Tunnel and Mount Victoria Tunnel.	2017*
Terrace Tunnel improvements	3 km	Includes tunnel duplication.	2024
Aotea Quay to Ngauranga	4 km	Use of existing motorway shoulders as a "fourth lane", and the implementation of a new traffic management system.	2022
Ngauranga to Linden (Petone to Grenada)		A median divided new 80km/h four-lane road with two lanes in each direction between Tawa/Porirua and the Hutt Valley. The project would include improvements to the Petone and Tawa intersections.	2023
Linden to MacKays (Transmission Gully)	27 km	Four-lane expressway from Linden (north Wellington) to MacKays Crossing.	2020
MacKays to Peka Peka	16 km	Four-lane expressway from MacKays Crossing to Peka Peka.	2017
Peka Peka to Ōtaki	15 km	Four-lane expressway from Peka Peka to Ōtaki.	2020
North of Ōtaki to north of Levin	approx 30 km	Progressive upgrade of the existing State highway to create a combination of 2+1 and four lane sections. Minor safety improvements have already been implemented at Manakau and Ohau.	2024

\* Subject to review

### 4.2 Summary of Key Investment and Routes in the Wellington Region

A summary of the key investment and routes in the Wellington region within the next 3 years, inclusive of RoNS projects, is illustrated in **Figure 2** above. The PNRP is of particular relevance in this context as it regulates discharges into the environment from both construction and ongoing maintenance and operations activities over the next 10 years or so.

Key investment and routes in the Wellington region also include cycleways / shared paths following the Government's announcement of the Urban Cycleways Programme which will help to establish cycling as an integral part of New Zealand's transport network. Making urban cycling a safer and more attractive transport choice is a key priority for the Transport Agency. The Urban Cycleways Programme forms part of roading projects including the Roads of National Significance.

The projects listed in Table 2 below have recently been announced for the Wellington region:

**Table 2: Cycleway Projects Announced under the Urban Cycleways Project**

Cycleway Project
<b>Wellington</b>
■ Melling to CBD
■ Wellington CBD route package
■ Wellington eastern route package
<b>Lower Hutt</b>
■ Beltway
■ Eastern Bays shared path
<b>Upper Hutt</b>
■ Rail Corridor Route
■ Hutt River Trail
<b>Porirua</b>
■ Onepoto-Wi Neera Shared Pathway
<b>Kapiti</b>
■ Stride N' Ride Kāpiti Coast

### 4.3 Ongoing Maintenance and Activities in the Wellington Region

Aside from delivering large infrastructure projects, the Transport Agency is also responsible for significant on-going maintenance and operation of the State highway network. This includes a number of the following activities, but is not intended to be an all-inclusive list:

- Abrasive blasting for bridge cleaning and maintenance;
- Dispersing calcium magnesium acetate for de-icing ;
- Clearing out of culverts;
- Weed spraying;
- Maintenance and replacement of structures (culverts, retaining walls, rock revetment etc.);
- Emergency management; and
- Stream diversions.

The Transport Agency holds a number of consents with Greater Wellington Regional Council to undertake these activities.



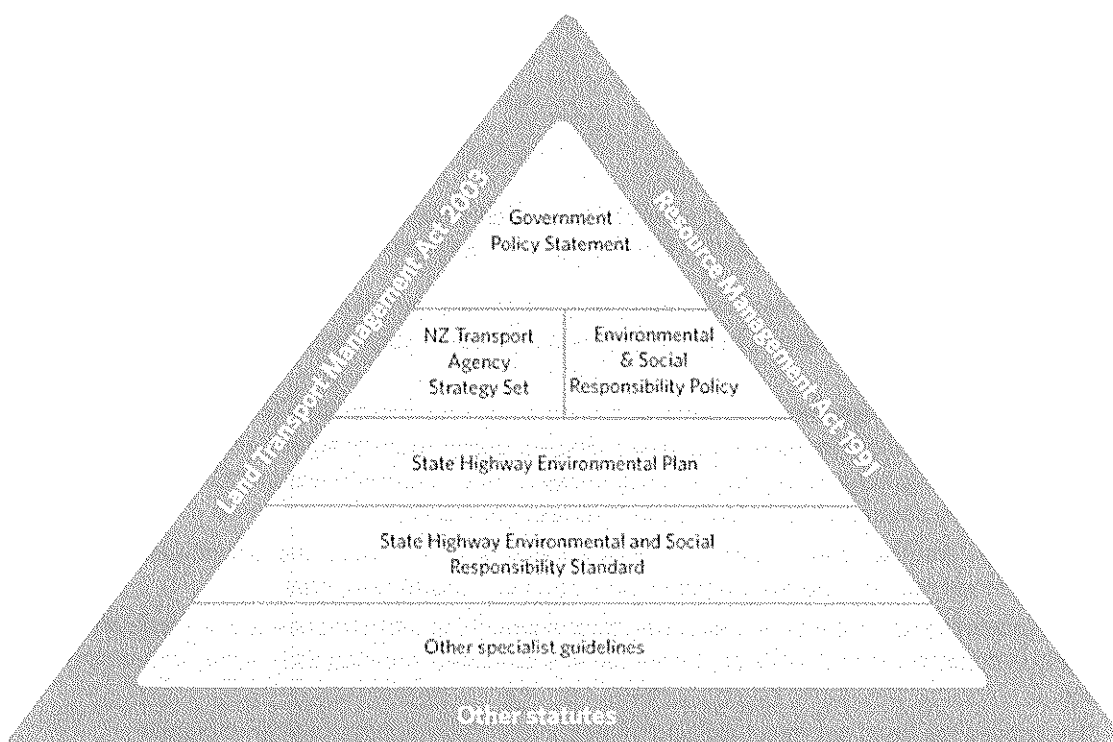
## 5 Transport Agency's Environmental Responsibility

The Transport Agency holds a strong regard towards the natural, built and social environment, as demonstrated through its Environmental and Social Responsibility Policy<sup>2</sup>. The requirement for a land transport system that mitigates the effects of land transport on the environment is also embedded in the GPS.

Through this policy the Transport Agency aims to continuously improve performance in the management of environmental and social impacts, improve the knowledge and understanding of the extent and conditions of New Zealand's environment, and identify and comply with all relevant environmental legislation and regulation.

This policy along with the State Highway Environmental Plan and the State Highway Activity Management Plan are consistent with the requirements of the LTMA, the RMA and other environmental legislation and regulation. This policy context is illustrated below in **Figure 3** below.

**Figure 3: Transport Agency Environmental Policy Consent**



Through its State Highway Environmental Plan 2008, the Transport Agency has committed to:

- being socially and environmentally responsible; and
- improving the contribution of State highways to the environmental and social well-being of New Zealand by:
  - protecting and enhancing the environment where appropriate;

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<sup>2</sup> <https://www.nzta.govt.nz/assets/resources/environmental-and-social-responsibility-manual/docs/environmental-and-social-responsibility-policy.pdf>

- avoiding adverse effects to the extent reasonable in the circumstances;
- Using a managing resources efficiently
- Considering environmental issues early;
- Contributing to sustainable outcomes by working with others; and
- Continually improving environmental performance.

The Environmental Plan is divided into sections by environmental and social impacts such as air quality, water resources, erosion and sediment control and ecological resources. Each impact first states the objectives, then adverse effects are discussed and Transport Agency's role explained, followed by examples of current practices.

The Environmental Plan also includes an Implementation Plan divided into activities such as plan, design, build, maintain and operate as well as national office initiatives. Each Implementation Plan activity has a 'toolkit' with references to sources of policy, guidelines, specifications and standards. Best practices are evolving works in response to understanding of environmental effects, societal expectations and practice informing policy development, a cycle of continuous improvement.

A link to the Transport Agency's Environmental Plan is provided here: [NZ Transport Agency Environmental Plan 2008](#)

## 6 General Submission

The Transport Agency's submission is intended to support Council's function under Section 30 of the RMA. In summary, the Transport Agency seeks that the PNRP provides a framework which:

- Provides certainty and enables investment (e.g. objectives, policies and rules) by the Transport Agency that aligns with agreed national, regional and local outcomes and delivers value for money;
- Recognises the transportation network as having a key role in providing for social, cultural and economic well-being and the need to make efficient use of existing significant infrastructure as well as the critical need to improve existing infrastructure in order to accommodate the demands placed on it by communities including the business community;
- Recognises that the need for significant new infrastructure to support the growth aspirations of the region will require balancing against the effects on natural resources;
- Recognises that the location of necessary improvements to infrastructure are in some instances highly is constrained and there are locational and functional constraints in some circumstances; and
- Recognises the need to protect existing infrastructure (including its maintenance and improvement) and that some activities can cause reverse sensitivity effects on existing and planned infrastructure.

Without limiting the generality of the above general submission, the Transport Agency seeks decisions as sought in the attached **Schedule One**, and any consequential relief required to achieve the relief sought.

**Schedule One** details the specific provisions that the Transport Agency is supportive of and / or is opposed to, and also outlines relief sought to address current concerns with the PNRP.

As currently proposed, the Transport Agency considers that in some instances the PNRP does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other available means and therefore are not appropriate in terms of

Section 32. On this basis, the Transport Agency does not consider the requirements of Section 32 of the RMA have yet been met.

## 6.1 Key issues

The key issues that the Transport Agency seeks clarity, amendment or other relief on relate to the following matters:

- Clarifying membership of the five Whaitua Committees and whether it is envisaged that industry will be represented or invited on those committees to provide an industry / utility operator perspective in advance of any initiatives proposed to be advanced by those committees;
- Providing a policy framework which recognises and provides long-term durations for consents establishing regionally significant infrastructure related structures;
- Providing a policy framework that recognises and provides for new and upgraded regionally significant infrastructure in all environments where there is a functional need or operational requirement, including the presence of existing infrastructure;
- Providing a clear cascading policy framework which sets out the RMA hierarchy in respect of avoiding, remedying and mitigating effects, and also recognising that off-setting can be appropriate in some circumstances. Requiring a no-net loss is not required by the RMA and in the context of linear infrastructure, could unduly constrain investment and does not allow for proper consideration and balancing of effects under Part 2 of the Act;
- Removing terms 'minimise' and 'avoid' in the objective and policy framework as this approach is inconsistent with effects based planning. When considering applications, regard is to be had to the objectives and policies of the plan as well as to the actual and potential effects on the environment of allowing the activity. Applications are to be considered against a range of provisions and determined on balance. Including the words 'avoid' and 'minimise' effects in policies and objectives runs counter to this process as it disables an overall consideration of the merits of proposed work. For linear infrastructure, this can cause perverse outcomes where to avoid an effect on a discrete environmental asset, a route might be selected that has an overall larger environmental effect. The terms:
  - 'minimise' inappropriately imposes a continual requirement irrespective of acceptable level of effects; and
  - 'avoid' has significant implications resulting from recent case law (King Salmon) especially in the coastal environment where it imposes a 'bottom-line';

Thus, the terms 'avoid' and 'minimise' should in general be removed from policies and objectives so that the RMA decision making framework can function properly and applications (for proposed work) are to be considered on balance under Part 2 of the RMA. This approach is consistent with the recent Basin High Court decision.

- Providing policy direction on the use of the Best Practicable Option which for large infrastructure projects such as those undertaken by the Transport Agency is critical in balancing the benefits, adverse effects and financial costs of regionally significant infrastructure;
- Providing an enabling consenting framework which 'recognises and provides for' regionally significant infrastructure through imposing a discretionary activity status for its activities as opposed to a non-complying or prohibited activity status;
- Providing for lawfully established structures and activities as a permitted activities where appropriate;
- In the context of the length of the Strategic Transport Network, providing for reasonable rules for stormwater discharges; and,

- Providing a framework for the Transport Agency to provide input into stormwater management strategies.

## Schedule One: Detailed Submission by the Transport Agency

Plan Provision	Support/Oppose/Amend	Submission/Reasons	Relief / Decision Sought
<b>Chapter 1: Introduction</b>			
1.1 Introduction	Amend	<p>The Transport Agency is supportive of the approach being taken in respect of working in partnership with iwi and hapu. The Transport Agency considers an illustration as to the general rohe of the respective iwi and hapu would be beneficial, especially to inform pre-application consultation discussions.</p> <p>The Transport Agency supports the adoption of an integrated catchment management approach to manage resources. This approach is consistent with the Transport Agency's approach (e.g. stormwater).</p> <p>The Transport Agency notes that integrated management is to be facilitated by the 5 whatua committees. The committees will each develop an implementation programme which will include both regulatory provisions and non-regulatory programmes. The regulatory provisions will be included progressively by way of plan changes or variations in the whatua-specific chapters of the Plan. While generally supportive of this concept, the Transport Agency is concerned over the lack of industry representation on the committees. Without industry representation, overly aspirational plan changes may impose unachievable targets for industry. Such provisions would likely be opposed by industry, causing lengthy delays and costs through plan change / variation processes. This situation is avoidable if industry is represented in the committees. There is also a concern that plan changes driven by the whatua committees may generate inconsistent provisions and frameworks if they are allowed to set their own agendas in this respect. This makes it difficult for applicants, and in particular large infrastructure providers with linear infrastructure to achieve consistency.</p>	<ul style="list-style-type: none"> <li>■ Include a diagram illustrating the general rohe of iwi and hapu within the region.</li> </ul>
1.4 Integrated catchment management	Support		<ul style="list-style-type: none"> <li>■ Retain the adoption of an integrated management approach to managing resources.</li> </ul>
1.4 Whatua committees	Neutral		<ul style="list-style-type: none"> <li>■ Provide a mechanism for industry representation, including infrastructure providers, to be involved in the whatua committees, especially in the context of regulatory mechanisms.</li> <li>■ Address concerns that the whatua committees may generate inconsistent provisions within the PNRP.</li> </ul>

1.5.1 Statutory framework	Support	The Transport Agency supports the inclusion of Figure 1.3 which illustrates the geographical boundaries of the policy statements and plans within the resource management framework.	<ul style="list-style-type: none"> <li>■ Retain the Figure 1.3</li> </ul>
	Amend	The Transport Agency considers the PNRP is a logical place to provide confirmation of what Iwi Management Plans have been prepared. As acknowledged in the text, these do not have any statutory weight in their own right, but they must be (and have been) taken into account in the preparation of this Plan. To a similar extent, this is also true of applicants and therefore clarity on current Iwi Management Plans would be advantageous.	<ul style="list-style-type: none"> <li>■ Confirm within the PNRP what Iwi Management Plans have been prepared to assist applicants in the preparation of applications, especially in the context of Part 2 (Sections 6e and 8).</li> </ul>
<b>Chapter 2: Interpretation</b>			
2.1.3 Rule	Support	The PNRP has, where practicable, combined associated activities into one rule. This means that several permissions which may be required under section 9 and sections 12 to 15B of the RMA are included in one rule for which one application for resource consent can be made. This simplified approach greatly assists plan users to identify both rule triggers and their understanding of the rule framework applying to their proposed activities.	<ul style="list-style-type: none"> <li>■ Retain the approach of including suites of s9, 12 – 15 activities under a single rule.</li> <li>■ To assist plan users, and also council officers when drafting consent conditions, add reference in the rules section as to which section of the RMA is being addressed by the respective rules.</li> </ul>
<b>2.2 Definitions</b>			
New definition: Best Practicable Option		The Transport Agency seeks the inclusion of the term Best Practicable Option which is an important process to determine acceptable use and development in an infrastructure context. The term is sought for inclusion throughout the policy framework.	<ul style="list-style-type: none"> <li>■ Add new definition which aligns with the RMA: Section 2 Interpretation definition of the term: <u>Best practicable option means the best site, route or method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</u> (a) <u>the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</u> (b) <u>the financial implications, and the effects on the environment, of that option when compared with other options; and</u> (c) <u>the current state of technical knowledge and the likelihood that the option can be successfully applied</u></li> </ul>

Biodiversity offset	Support in part	The Transport Agency generally supports the definition of the term and its inclusion in the Plan. Biodiversity off-setting is important for linear infrastructure providers, such as the Transport Agency, where functional and locational constraints are often present. However, it should also be noted that the RMA is not a "no-effects" piece of legislation and to this extent a requirement to provide benefits beyond 'avoid, remedy or mitigate' are beyond that contemplated under the RMA framework.	<ul style="list-style-type: none"> <li>■ Amend the definition of biodiversity offset.</li> </ul> <p>A measurable positive outcome resulting from an action designed to compensate for the residual adverse effects on biodiversity arising from an activity after avoidance, remediation and mitigation measures have been taken. Biodiversity offsets differ from mitigation in so far as offsets require the demonstration of no net loss of biodiversity and preferably a net gain. The principles to be applied when proposing and considering biodiversity offsets are provided in Schedule G (biodiversity offsetting):</p> <p><i>A measurable positive outcome resulting from an action designed to compensate for the residual adverse effects on biodiversity arising from an activity after avoidance, remediation and mitigation measures have been taken. The use of biodiversity offsets as a mitigation method does not differ in application from other mitigation measures and so offsets do not require a demonstration of no net loss or net need to secure a net gain. The performance of offsets (nil-effect or net gain or other) is a matter for the particular circumstances of proposed projects (applications) and based on the overall performance of a proposal within the RMA decision making framework (section 104 and Part 2). The principles to be applied when proposing and considering biodiversity offsets are provided in Schedule G (biodiversity offsetting).</i></p>
Bore	Support with amendment	The Transport Agency supports the definition of 'bore' but believes for clarity, a note should be included under the definition confirm that 'geotechnical investigation bore' has its own definition.	<ul style="list-style-type: none"> <li>■ Amend the definition:</li> </ul> <p>A structure or hole in the ground constructed for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) investigating or monitoring the conditions below the ground surface, or</li> <li>(b) abstracting liquid substances from the ground, or</li> <li>(c) discharging liquid substances into the ground.</li> </ul> <p><i>Note: a separate definition of 'geotechnical investigation bore' is also contained in the Plan.</i></p>
New definition : coastal marine area		The Transport Agency seeks the inclusion of a definition for the coastal marine area for completeness.	<ul style="list-style-type: none"> <li>■ Add a new definition which aligns with the RMA: Section 2 Interpretation definition of the term:</li> </ul>

			<p><u>Coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water—</u></p> <p>(a) <u>of which the seaward boundary is the outer limits of the territorial sea;</u></p> <p>(b) <u>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—</u></p> <p>(i) <u>1 kilometre upstream from the mouth of the river, or</u></p> <p>(ii) <u>the point upstream that is calculated by multiplying the width of the river mouth by 5</u></p>
Common marine and coastal area	Support	<p>The Transport Agency notes that the PNRP promotes the integrated management of a coastal marine area and related parts of the coastal environment, as per section 64(2) RMA and that the proposed definition of the common marine and coastal area is taken from the Marine and Coastal Area (Takutai Moana) Act 2011. On this basis it is supported.</p> <p>The Transport Agency notes the definition is the same as the RMA and supports this definition.</p>	<ul style="list-style-type: none"> <li>■ Retain the definition of common marine and coastal area.</li> </ul>
Contaminated land	Support		<ul style="list-style-type: none"> <li>■ Retain the definition of contaminated land</li> </ul> <p>Land that has a hazardous substance in or on it that –</p> <p>(a) has significant adverse effects on the environment; or</p> <p>(b) is reasonably likely to have significant adverse effects on the environment.</p> <p>Note: Contaminated land means the same as <i>Category III – Contamination Confirmed</i> land in the Selected Land Use Register for the Wellington Region.</p>
Dewatering	Support with amendment	<p>The Transport Agency supports the definition subject to a minor amendment to reflect that dewatering can also occur through the diversion of groundwater.</p>	<ul style="list-style-type: none"> <li>■ Amend the definition of dewatering</li> </ul> <p>The abstraction <u>or diversion</u> of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.</p>



Earthworks	Support with amendment	The Transport Agency supports the definition, subject to confirmation that bores do not constitute earthworks. Bores, including geotechnical bores, have their own definition and rule framework and therefore clarity that these activities are not 'earthworks' will avoid confusion as to the applicability of the rules.	<ul style="list-style-type: none"> <li>■ Amend the definition: The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is stabilised. Earthworks includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking. Earthworks do not include: (a) . . . . . (i) <u>The construction, repair or maintenance of a bore or geotechnical investigation bore.</u> (j) <u>The placement or construction of ballast, rip rap, gabions, groynes or other protective materials or structures.</u></li> <li>■ Amend the definition of ephemeral flow path: A river that: (a) does not have an active bed, or (b) has a bed that is predominantly vegetated, and (c) only conveys or <u>retains</u> water during or immediately following heavy rainfall events, and (d) does not convey or retain water at other times. <u>Note: an ephemeral flow path is not a surface waterbody.</u></li> <li>■ Retain the definition: An existing resource consent is: (a) an existing resource consent which has been given effect to, or (b) an existing resource consent which has not been given effect to and has not lapsed, or (c) an expired resource consent continuing to be exercised under section 124 of the Resource Management Act 1991.</li> <li>■ Amend the definition: When an activity is dependent on having its location in the coastal marine area or in the beds of lakes and rivers or <u>where that location</u></li> </ul>
Ephemeral flow path	Support with amendment	The Transport Agency supports the definition, subject to a minor amendments to reflect that ephemeral flow paths may also retain water in some instances, albeit temporarily, and that it is not deemed a surface water body (as per the definition of that term in the PNRP).	
Existing resource consent	Support	The Transport Agency supports the definition, but notes its use in the PNRP is largely limited to wastewater discharges and water allocations / abstractions. While noting s124 of the RMA is embedded in statute, the Transport Agency considers more focus on other activities e.g. could also be introduced into the Plan.	
Functional need	Support with amendment	The Transport Agency supports the definition of functional need as it relates to the coastal marine area, rivers and lakes. Linear infrastructure of regional significance, such as the roading network, is often functionally	

		constrained and avoidance of locations may not be possible in some circumstances.	<i>represents the best practicable option for that activity.</i>
Geotechnical investigation bore	Support	The Transport Agency supports the definition.	<ul style="list-style-type: none"> <li>■ Retain the definition</li> </ul> <p>Any bore constructed to provide information about soil, sediment or rock.</p>
Good management practice	Support	The Transport Agency supports the definition. Technology, knowledge and methods change over time and the statutory documents should acknowledge this.	<ul style="list-style-type: none"> <li>■ Retain the definition:</li> </ul> <p>Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Good management practice guidelines can be found on the Wellington Regional Council's website <a href="http://www.gw.govt.nz/good-management-practice/">http://www.gw.govt.nz/good-management-practice/</a></p>
New definition: Groundwater monitoring bore		The Transport Agency seeks the inclusion of a definition for groundwater monitoring bore.	<ul style="list-style-type: none"> <li>■ Add a new definition of the term groundwater monitoring bore:</li> </ul> <p><u>A structure or hole in the ground constructed for the specific purpose of monitoring groundwater depth or quality.</u></p>
Gully	Support	The Transport Agency supports the definition and notes that a gully can include ephemeral flow paths.	<ul style="list-style-type: none"> <li>■ Retain the definition:</li> </ul> <p>A channel or small valley especially one cut by heavy rain.</p>
Hazardous air pollutants / Hazardous substances	Neutral	The Transport Agency notes that the definitions overlap and furthermore it is unclear whether the compound listed in schedule L1 are also hazardous air pollutants	<ul style="list-style-type: none"> <li>■ Provide clarity on the definitions, including what priority air pollutants are in the context of Schedule L1</li> </ul>
High hazard areas	Neutral	The Transport Agency notes that the term is applied by default to the coastal marine area, and the beds of lakes and rivers. It notes the PNRP does not include rules related to this term, but rather the objective and policy framework applies which seek to only enable use and development	<ul style="list-style-type: none"> <li>■ No relief sought</li> </ul>

		where there is a functional or operational need to be located in such areas. Regionally significant infrastructure does have a functional and operational need to be located in such locations. The Transport Agency supports the definition.		
Mobile Sources	Support		<ul style="list-style-type: none"> <li>■ Retain the definition of mobile source: A mobile source that discharges contaminants into air including, but not limited to, motor vehicles (cars), trucks, light utility vehicles, buses, aircraft, trains, vessels (boats), and lawn mowers, port mobile plant, and forklifts.</li> <li>■ Retain the definition as it applies to water treatment ponds for managing stormwater.</li> <li>■ Amend the definition of offset: A measurable positive outcome resulting from an action designed to compensate for the significant residual adverse effects on the environment arising from an activity after avoidance, remediation and <u>at source</u> mitigation measures have been taken.</li> </ul>	
Natural wetland	Support	The Transport Agency supports the definition to the extent that areas of wetland habitat in or around bodies of water specifically designed, installed and maintained for stormwater treatment are excluded from the definition		
Offset	Support in part	The Transport Agency generally supports the definition and its inclusion in the Plan. Off-setting is important for linear infrastructure providers, such as the Transport Agency, where functional and locational constraints are often present. However, it should also be noted that the RMA is not a "no-effects" piece of legislation and to this extent a requirement to provide benefits beyond 'avoid, remedy or mitigate' are beyond that contemplated under the RMA framework.		
Operational requirement	Support with amendment	The Transport Agency supports the definition of operational requirement. Linear infrastructure, such as the roading network, often has operational requirements in order to functional efficiently and effectively.	<ul style="list-style-type: none"> <li>■ Amend the definition of operational requirement: When an activity needs to be carried out in a particular location or way in order to be able to function <u>safely, effectively</u> and efficiently.</li> </ul>	
Reclamation	Support	The Transport Agency supports the definition.	<ul style="list-style-type: none"> <li>■ Retain the definition of reclamation: Reclamation in the coastal marine area means the creation of dry land and does not include coastal or river mouth protection structures such as seawalls or revetments, boat ramps, and any structure above water where that structure is supported by piles, or any infilling where the purpose of that infilling is to provide beach nourishment.</li> </ul>	

Regionally significant infrastructure	Support	The Transport Agency notes that the 'Strategic Transportation Network' is used to capture transportation related regionally infrastructure in the PNRP. This approach is acceptable, provided that the term 'Strategic Transportation Network' is better defined in the PNRP (the Transport Agency does not support the current proposed definition of Strategic Transportation Network).	<ul style="list-style-type: none"> <li>■ Subject to amending the term 'Strategic Transport Network', retain the definition of 'regionally significant infrastructure': Regionally significant infrastructure includes: ..... <ul style="list-style-type: none"> <li>• the Strategic Transport Network</li> </ul> </li> </ul>
Residual adverse effects	Support	The Transport Agency supports the definition of the term and its inclusion in the Plan to the extent that it recognises that not all effects can be avoided, remedied or mitigated. For example, there may be functional and operational requirements which result in residual adverse effects remaining. However, it is important to note that the RMA is not a no effects piece of legislation and therefore some residual effects would be acceptable. For example, offsetting would not be appropriate where the residual effects were less than minor.	<ul style="list-style-type: none"> <li>■ Retain the definition of residual adverse effects:  The negative effects on the environment remaining from an activity after avoidance, remediation, and mitigation measures have been taken.</li> </ul>
Reverse Sensitivity	Support with amendment	The Transport Agency generally supports the definition but seeks amendment to better protect established activities.	<ul style="list-style-type: none"> <li>■ Amend the definition of reverse sensitivity:  The vulnerability of an existing lawfully-established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activities, thereby creating the potential for the operation, <u>maintenance, upgrade and development</u> of such existing activity to be constrained.</li> </ul>
New definition : seawall		The Transport Agency seeks the inclusion of a definition for the term	<ul style="list-style-type: none"> <li>■ Add a new definition:  <u>Seawall means a man-made structure in the coastal environment primarily constructed for protective purposes but which may also accommodate other beneficial uses such as walkways or cycleways</u></li> </ul>
Significant natural wetland	Neutral	The Transport Agency notes that Schedule F3 lists significant natural wetlands. It would assist plan users if these wetlands were illustrated on a plan.	<ul style="list-style-type: none"> <li>■ Illustrate significant natural wetlands listed in F3 on a plan for the benefit of plan users.</li> </ul>
Stormwater network	Support with amendment	The Transport Agency supports the definition of stormwater network and the text 'including but not limited to', subject to including reference to culverts which form part of the stormwater network.	<ul style="list-style-type: none"> <li>■ Amend the definition of stormwater network: The network of devices designed to capture, detain, treat, transport and discharge stormwater, including but not limited to kerbs, intake</li> </ul>

Stormwater management strategy	Neutral	The Transport Agency generally supports the term but queries why, when the definition is not exclusive to local authorities, it is only relevant and applicable to local authorities in the body (objectives, policies and rules) of the PNRP.	structures, pipes, soak pits, sumps, swales, culverts and constructed ponds and wetlands, and that serves more than one property.  ■ No relief sought.
Strategic Transport Network	Support with amendment	<p>The Transport Agency does not generally support the inclusion of a definition which relies on another document (in this case the RLTP) to confirm the term's meaning.</p> <p>The Transport Agency seeks an amended definition to address the scenario whereby the Regional Land Transport Plan 2015 is updated (i.e. rendering the listed network as not part of the Strategic Transport Network once an updated RTLP is released and also to be inclusive of ancillary infrastructure such as stormwater management systems .</p>	<p>■ Amend the definition of Strategic Transport Network as it applies to the Transport Agency's infrastructure:</p> <p>The Strategic Transport Network comprises the following parts of the Wellington Region's transport network:</p> <p>(a) All railway corridors and 'core' bus routes as part of the region's public transport network identified in the Regional Land Transport Plan 2015, and</p> <p>(b) All strategic roads that are classified as a National High Volume Road, National Road, or Regional Road as part of the region's strategic road network identified in the Regional Land Transport Plan 2015, and</p> <p>(c) Any other road classified as a high productivity motor vehicle (HPMV) route identified in the Regional Land Transport Plan 2015, and</p> <p>(d) All sections of the regional cycling network classified as having a combined utility and recreational focus identified in the Regional Land Transport Plan 2015, and</p> <p>(e) <u>All other road, cycling and walking transportation corridors and routes, including ancillary infrastructure such as stormwater infrastructure, which are owned and managed by the NZ Transport Agency</u></p> <p>The <u>current</u> Strategic Transport Network is mapped in the Regional Land Transport Plan 2015.</p>
Surface water body	Support	The Transport Agency supports the definition of surface water body to the extent that it excludes water storage and treatment ponds and ephemeral	■ Retain the definition of surface water body.

		flow paths.		
Zone of reasonable mixing	Support	The Transport Agency generally supports the term.		<ul style="list-style-type: none"> <li>Retain the definition of zone of reasonable mixing:</li> </ul>
<b>Chapter 3: Objectives</b>				
Beneficial Use and Development Objective O10	Support	The Transport Agency generally supports the objective but notes that in some instances it may not be appropriate from a health and safety perspective to maintain access. The objective is evidently something to achieve, however the policy framework needs to recognise this issue.		<ul style="list-style-type: none"> <li>Retain Objective O10: Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.</li> </ul>
Beneficial Use and Development Objective O12	Support with amendment	The PNRP identifies two infrastructure related issues of significance: <ol style="list-style-type: none"> <li>infrastructure enables communities to provide for their social, economic and cultural wellbeing; and,</li> <li>the management, use and operation of infrastructure can be adversely affected when incompatible land uses occur under, over or adjacent.</li> </ol>		<ul style="list-style-type: none"> <li>Amend Objective O12: The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised <u>within the region and beyond</u>.</li> </ul>
Beneficial Use and Development New Objective O13	Support with amendment	RPS Policies 7 and 8 seek to address these issues, and ultimately achieve Objective 10 of the RPS. The PNRP needs to 'give effect' to these provisions and simply repeating them is not considered sufficient. Furthermore, the benefits of linear infrastructure (such as the Strategic Transport Network) can extend across regional boundaries, and should where possible be considered as a coherent whole, rather than being assessed on a piecemeal basis.		<ul style="list-style-type: none"> <li>Amend Objective O13: The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities <u>in the coastal marine area</u> are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</li> </ul>
Beneficial Use and Development New Objective		For this reason: <ul style="list-style-type: none"> <li>an enabling objective is sought to provide for the ongoing use, operation, maintenance and development of regionally significant infrastructure; and</li> <li>an objective is sought to recognise that regionally significant infrastructure has functional, operational and locational constraints.</li> </ul> <p>In addition, an amendment is sought to Objective 13 to reflect the fact that reverse sensitivity type effects are not exclusive to infrastructure which is located in the coastal marine area.</p>		<ul style="list-style-type: none"> <li>Add new objective: <u>The safe, effective and efficient use, operation, maintenance, upgrade and development of regionally significant infrastructure is provided for</u></li> </ul>
Beneficial Use and Development New Objective				<ul style="list-style-type: none"> <li>Add new Objective: <u>To recognise that regionally significant infrastructure represents appropriate use and development in all environments where there are functional needs or operational requirements</u></li> </ul>

Maori Relationships Objective O15	Support	The Transport Agency generally supports the objective to recognise kaitiakitanga.	<ul style="list-style-type: none"> <li>Retain Objective 15</li> </ul> <p>Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making.</p>
Maori Relationships Objective O16	Support	The Transport Agency generally supports the objective to recognise the relationship of mana whenua with Ngā Taonga Nui a Kiwa.	<ul style="list-style-type: none"> <li>Retain Objective 16</li> </ul> <p>The relationship of mana whenua with Ngā Taonga Nui a Kiwa is recognised and provided for.</p>
Natural Character Form and Function: Objective 17	Support in part	The Transport Agency generally supports Objective 17 as it repeats Section 6a of the RMA and seeks to protect those environments from inappropriate use and development. Elsewhere in this submission, the Transport Agency seeks clarity on what is an appropriate use and development in such locations and it is the Transport Agency's opinion that regionally significant infrastructure may be appropriate where there are functional and operational needs to be located in those environments.	<ul style="list-style-type: none"> <li>Retain Objective O17:</li> </ul> <p>The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.</p>
Natural Character Form and Function: Objective 18	Support with amendment	The Transport Agency notes that the current wording of Objective 18 implies that all such environments are degraded and this is unlikely to be the case.	<ul style="list-style-type: none"> <li>Amend Objective O18:</li> </ul> <p>The ecological, recreational, mana whenua, and amenity values of estuaries including their sensitivity as low energy receiving environments are recognised, and their health and function is restored over time <u>where degraded</u>.</p>
Natural Character Form and Function: Objective 19	Oppose	The Transport Agency considers the objective is not consistent with effects based planning. Interference, such as the construction of a bridge or culvert to accommodate a road for example, may interfere with natural processes, but there could be a functional and operational need for that structure and it could be acceptable from an effects perspective.	<ul style="list-style-type: none"> <li>Delete Objective O19:</li> </ul> <p><del>The interference from use and development on natural processes is minimised.</del></p>
Natural Character Form and Function: Objective 20	Support	The Transport Agency supports the objective which recognises that not all risks associated with natural hazards can be avoided, rather the focus is the acceptability of the effects and residual risks. Risk can be mitigated by design.	<ul style="list-style-type: none"> <li>Retain Objective 20:</li> </ul> <p>The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable</p>

<p>Natural Character Form and Function: Objective 21</p>	<p>Support with amendment</p>	<p>The Transport Agency notes the intent of the objective and that it would apply in the coastal marine area and the beds of lakes and rivers which are defined as high hazard areas by default. The objective would apply to a large portion of its assets. The Transport Agency therefore seeks assurance that use and development associated with regionally significant infrastructure, and which often has functional and operational requirements and constraints is appropriate.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O21, to acknowledge that regionally significant infrastructure may be appropriate as sought elsewhere in this submission.</li> </ul> <p><u>Only appropriate use and development, such as regionally significant infrastructure which has been suitably designed, is enabled to establish and operate in inappropriate use and development in high hazard areas is avoided.</u></p>
<p>Natural Character Form and Function: Objective 22</p>	<p>Oppose</p>	<p>The Transport Agency often uses hard engineering solutions to protect its assets in the longer term. In such circumstances, using hard engineering solutions result in less environmental effects rather than doing repeat minor works or constructing ineffective solutions. While there is a requirement to assess alternatives in some instances under the RMA, there is no mandatory requirement to do this in all instances.</p>	<ul style="list-style-type: none"> <li>■ Delete Objective 22:</li> </ul> <p><del>Hard engineering mitigation and protection methods are only used as a last practicable option.</del></p>
<p>Biodiversity, aquatic ecosystem health and mahinga kai Objective 28</p>	<p>Support with amendment</p>	<p>The Transport Agency notes that the current wording of Objective 28 implies that all such environments are degraded and this is unlikely to be the case.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O28:</li> </ul> <p>The extent of natural wetlands is maintained or increased and their condition is restored, <u>where degraded.</u></p>
<p>Biodiversity, aquatic ecosystem health and mahinga kai Objective 29</p>	<p>Support with amendment</p>	<p>The Transport Agency endeavours to minimise to the extent possible the impact State highways have on fish passage. To this end the Agency has developed specific guidance to assist in the best practice design and retrofit of NZTA culverts for effective fish passage.</p> <p>The Transport Agency notes that the current wording of Objective 29 implies that the 'use', for example of existing structures, is required to provide for fish passage. While the Transport Agency will proactively seek opportunities to improve existing infrastructure to better enable fish passage, the requirement for retro-fitting existing structures to provide fish passage is not practicable. Also, there may be instances where providing fish passage is not appropriate, for example where an indigenous fish habitat has been significantly enhanced and the provision of fish passage of exotic fish would destroy that habitat. The objective should provide some element of flexibility to accommodate such</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O29:</li> <li>■ <del>Use and</del> <u>Where appropriate and practicable, new development</u> provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.</li> </ul>



Sites with significant values Objective 31	Support with amendment	<p>circumstances.</p> <p>While the Transport Agency would seek to avoid such waterbodies through its route selection methods, it also considers it critical to recognise that some infrastructure has functional, locational and operational constraints which sometimes dictate locations for infrastructure and associated works.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O31: Outstanding water bodies and their significant values are protected <u>from inappropriate use and development.</u></li> </ul>
Sites with significant values Objective 32	Support	<p>The Transport Agency supports the objective in that it recognises that some use and development may be appropriate. The objective provides an enabling platform for infrastructure which is of significance to the region (and beyond) and may have locational and operational constraints.</p>	<ul style="list-style-type: none"> <li>■ Retain Objective O32: Outstanding natural features and landscapes are protected from inappropriate use and development.</li> </ul>
Sites with significant values Objective 33	Support with amendment	<p>While the Transport Agency would seek to avoid such values through its route selection methods, it also considers it critical to recognise that some infrastructure has functional, locational and operational constraints which sometimes dictate locations for infrastructure and associated works. .</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O33: Sites with significant mana whenua values are protected <u>from inappropriate use and development</u> and restored <u>where degraded.</u></li> </ul>
Sites with significant values Objective 34	Support	<p>The Transport Agency supports the objective in that it recognises that some modification, use and development may be appropriate. The objective provides an enabling platform for infrastructure which is of significance to the region (and beyond) and may have locational and operational constraints</p>	<ul style="list-style-type: none"> <li>■ Retain Objective O34: Significant historic heritage values are protected from inappropriate modification, use and development.</li> </ul>
Sites with Significant values: Objective 35	Support with amendment	<p>The Transport Agency considers it appropriate and necessary to embed an enabling focus to the objective and also notes that the current wording of Objective 35 implies that all such environments are degraded and this is unlikely to be the case.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O35: Ecosystems and habitats with significant indigenous biodiversity values are protected <u>from inappropriate use and development</u> and restored <u>where degraded.</u></li> </ul>
Sites with Significant values: Objective 36	Support with amendment	<p>The Transport Agency considers it critical to recognise that some infrastructure in the coastal environment has functional, locational and operational constraints, and furthermore that significant benefits can be derived from such infrastructure within the region, and beyond. The Transport Agency therefore considers it appropriate and necessary to embed an enabling focus to the objective.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O36: Significant geological features in the coastal marine area are protected <u>from inappropriate use and development</u></li> </ul>

<p>Sites with Significant values: Objective 38</p>	<p>Oppose</p>	<p>The Transport Agency opposes the inclusion of the objective in the PNRP. Special landscape values are not identified in the regional plan, but rather the district plan (and RPS) framework. The Transport Agency considers that district plans should address this issue and also notes that the PNRP includes only one related policy related to special amenity landscapes (Policy 49 in the title) and that the wording of that policy only addresses outstanding natural landscapes and features.</p>	<ul style="list-style-type: none"> <li>■ Delete Objective 38 Identified special-amenity-landscape-values-are-maintained-or-enhanced</li> </ul>
<p>Air: Objective 41</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the objective but considers the objective should acknowledge that the RMA is an effects-based piece of legislation and the creation of some effects may be acceptable.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O41: The adverse effects of odour, smoke and dust on amenity values and people's well-being are reduced <u>to the extent practicable</u>.</li> </ul>
<p>Soil: Objective 43</p>	<p>Support with amendment</p>	<p>The Transport Agency considers that the effects of human health should be managed and regulated by the district / city councils under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health, not the regional council. The regional council holds the Selected Land Use Register and therefore the identification of such land should be recognised, as well as the management of activities on contaminated land, such as discharges from such land, which may cause adverse environmental effects.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective O43 Contaminated land is <u>identified and managed</u> to protect human health and the environment <u>from unacceptable contamination related effects</u>.</li> </ul>
<p>Soil: Objective 44</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the objective but considers the objective should acknowledge that the RMA is an effects-based piece of legislation and the creation of some effects may be acceptable.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective 44 The adverse effects on soil and water from land use activities are <u>minimised-reduced to the extent practicable</u>.</li> </ul>
<p>Discharges: new objective</p>	<p>Support with amendment</p>	<p>The Transport Agency considers that consideration of the best practicable option should be embedded in the objectives.</p>	<ul style="list-style-type: none"> <li>■ Add new objective: <u>Discharges associated with regionally significant infrastructure are managed through the adoption of the best practicable option.</u></li> </ul>
<p>Discharges: Objective 46</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the objectives but seeks additional wording.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective 46: Discharges to land are managed to reduce the runoff or leaching of contaminants to water <u>to the extent practicable</u>.</li> </ul>

Discharges: Objective 47	Support with amendment	<ul style="list-style-type: none"> <li>■ Amend Objective 47</li> </ul> <p>The amount of sediment-laden runoff entering water is reduced <u>to the extent practicable</u>.</p>
Discharges: Objective 48	Support	<ul style="list-style-type: none"> <li>■ Retain Objective O48:</li> </ul> <p>Stormwater networks and urban land uses are managed so that the adverse quality and quantity effects of discharges from the networks are improved over time.</p>
Coastal Management: Objective 53	Support	<ul style="list-style-type: none"> <li>■ Retain Objective O53:</li> </ul> <p>Use and development in the coastal marine area has a functional need or operational requirement to be located there.</p>
Coastal Management: Objective 54	Support	<ul style="list-style-type: none"> <li>■ Retain Objective O54:</li> </ul>
Coastal Management: Objective 56	Support	<ul style="list-style-type: none"> <li>■ Retain Objective O56:</li> </ul> <p>New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment.</p>
Coastal Management: Objective 57	Support	<ul style="list-style-type: none"> <li>■ Retain Objective O57:</li> </ul> <p>Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.</p>
Coastal Management: Objective 59	Support with amendment	<ul style="list-style-type: none"> <li>■ Amend Objective O59:</li> </ul> <p>The efficient and safe passage <u>of pedestrians, cyclists, motorised vehicles</u>, vessels and aircraft that support the movement of people,</p>

				goods and services is provided for in the coastal marine area.
<b>Chapter 4: Policies</b>				
Ki uta ki tai and integrated catchment management: Policy 1	Support	The Transport Agency generally supports using the principles of integrated catchment management.		<ul style="list-style-type: none"> <li>■ Retain Policy 1</li> </ul>
Precautionary approach: Policy 3	Support with amendment	The Transport Agency seeks a re-focus of the policy to align better with the intent of the NZCPS (Policy 3).		<ul style="list-style-type: none"> <li>■ Amend Policy 3: Use and development shall be managed with a precautionary approach where <u>the effects of proposed activities are uncertain, unknown or little understood, but potentially significantly adverse. there is limited information regarding the receiving environment and the adverse effects the activity may have on this environment.</u></li> </ul>
RMA framework for avoiding, remedying and mitigating effects: new policy		The Transport Agency seeks the inclusion of a generic policy which clearly sets out the cascading approach to managing effects. The cascading approach provided by the RMA are limited to avoiding, remedying and mitigating effects, but reference is also sought to be made to offsetting which may, in certain circumstances, be an appropriate mechanism for addressing effects. This approach also acknowledges the fact that the RMA is not a 'no-effects' statute.		<ul style="list-style-type: none"> <li>■ Add a new policy: <u>Adverse effects shall generally be managed by:</u> <ul style="list-style-type: none"> <li>(a) <u>Avoiding effects;</u></li> <li>(b) <u>Where effects cannot be practically avoided, remedying them; and,</u></li> <li>(c) <u>Where effects cannot be practically remedied, mitigating them; and,</u></li> <li>(d) <u>Where residual adverse effects remain, it may be appropriate to consider the use of off-sets.</u></li> </ul> </li> </ul>
Minimising effects: Policy 4	Oppose	The Transport Agency is concerned with the need to reduce adverse effects of an activity to the smallest amount practicable. The Transport Agency believes that this policy should be re-focused to achieve the best practicable option when considering environmental, social, cultural and economic factors. At present there is no mention of cost implications for projects and this is an important issue for large construction projects – sustainable management includes affordability.		<ul style="list-style-type: none"> <li>■ Replace the policy to focus on achieving the best practicable option, rather than minimising effects to the smallest amount practicable. <u>In sensitive locations, regionally significant infrastructure and other activities, shall consider the best practicable option to determine whether the proposed use and development is appropriate. In this</u></li> </ul>

		<p>The Transport Agency acknowledge a definition may be require for the term 'sensitive locations', however the intent is that it relates to environments with outstanding and high natural values.</p>	<p><u>context, the best practicable option means considering which site, route or method is the most appropriate for preventing or minimising effects on the environment while taking into account:</u></p> <p>(a) <u>the nature and location of the activity, especially for regionally significant infrastructure, and the sensitivity of the receiving environment to adverse effects; and</u></p> <p>(b) <u>the presence of existing development and whether the activity or development can effectively and efficiently utilise existing physical resources; and</u></p> <p>(c) <u>the functional and locational needs and operational requirements associated with the activity; and</u></p> <p>(d) <u>the financial implications of that option when compared to other options; and</u></p> <p>(e) <u>the effects on the environment of that option when compared with other options; and</u></p> <p>(f) <u>the current state of technical knowledge and the likelihood that the option can be successfully applied</u></p>
<p>Review of existing consents: Policy 5</p>	<p>Oppose</p>	<p>The Transport Agency seeks that the review of existing consents policy be deleted. Firstly it is set in statute and secondly it is more appropriate for inclusion at the resource consent application stage.</p>	<p>■ Delete Policy 5</p> <p><del>The conditions of existing resource consents to discharge contaminants to fresh water or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1991 in respect of future changes to the Plan:</del></p>
<p>Duration of consents: new policy</p>		<p>The Transport Agency seeks the inclusion of a new policy directing the duration of consents for regionally significant infrastructure. Generally speaking, and to provide certainty for projects, it is the Transport Agency's expectation that long term consents would be granted for such infrastructure.</p>	<p>■ Add a new policy to provide direction on the duration of operational consents for infrastructure of regional significance.</p> <p><u>Resource consent durations for regionally significant infrastructure applications required under ss13, 14 and 15 of the RMA will generally</u></p>

			<p><i>be granted for the maximum period of time unless reasons are identified during the consent process that make this inappropriate.</i></p>
Synchronised expiry and review dates: Policy 6	Support with amendment	<p>The Transport Agency is concerned that even if a long term consent is obtained, reviews could be initiated to implement a catchment solution irrespective of the currently solution performing adequately. Long term certainty for the Transport Agency is a critical aspect of its funding and operations and therefore uncertainties in this context are not supported, nor necessary from an effects perspective.</p>	<ul style="list-style-type: none"> <li>■ Amend Objective 6</li> </ul> <p>Resource consents may be granted with a common expiry or review date within a whatua or sub-catchment, if:</p> <ul style="list-style-type: none"> <li>(a) the affected resource is fully allocated or over-allocated, or</li> <li>(b) the exercise of the resource consent may impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that whatua or sub-catchment.</li> </ul>
Uses of land and water: Policy 7	Support with amendment	<p>The Transport Agency supports the intent of the Policy but seeks amendments to better reflect its activities, operations and activities. Construction and operational related water supply should be recognised in the context of the benefits it delivers to the region, and beyond.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 7:</li> </ul> <p>The cultural, social and economic benefits of using land and water for:</p> <ul style="list-style-type: none"> <li>(a) Treatment, dilution, conveyance and disposal of wastewater and stormwater, and</li> <li>(k) Transport <u>over, under, adjacent, along</u>, and access to, water bodies</li> <li>(l) <u>Construction and operational water supply for regionally significant infrastructure.</u></li> </ul> <p>shall be recognised.</p>
Public access to and along the coastal marine area and the beds of lakes and rivers Policy 9	Support	<p>The Transport Agency's activities often enable public access such as through cycleways and walkways. The Transport Agency supports the Policy in the context of it recognising that public access to and along the coast and the beds of lakes and rivers may not always be appropriate. In particular, the Transport Agency supports the exclusions related to health and safety (b) and temporary construction activities(c).</p>	<ul style="list-style-type: none"> <li>■ Retain Policy 9.</li> </ul>
Benefits of regionally significant infrastructure and renewable energy	Support with amendment	<p>The Transport Agency supports the intent of the Policy but seeks amendments to better reflect its activities, operations and activities, and specifically:</p> <ul style="list-style-type: none"> <li>• provide an enabling context in addition to only recognising the benefits of the infrastructure. It remains unclear what only</li> </ul>	<ul style="list-style-type: none"> <li>■ Amend Policy 12:</li> </ul> <p>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised <u>and provided for</u> by having regard to <u>taking into account</u>.</p>

<p>generation facilities: Policy 12</p>		<p>'recognising' would entail.</p> <ul style="list-style-type: none"> <li>• recognise the investment value of infrastructure in light of the requirements of Section 104(2A) of the RMA;</li> <li>• recognise the fact that some transportation related regionally significant infrastructure is located in the coastal marine area and the wider coastal area (e.g. the implications of the NZCPS); and</li> <li>• recognise the fact that some transportation related regionally significant infrastructure is located over, under, within and adjacent to the beds of lakes and rivers.</li> </ul>	<p>(a) ...</p> <p>(b) the <i>investment in, and the location of existing</i> infrastructure and structures, and</p> <p>(c) ...</p> <p>(d) the functional need for port activities <i>and other regionally significant infrastructure</i> to be located within the coastal marine area <i>and the coastal area</i>, and</p> <p>(e) <i>the functional need for regionally significant infrastructure to be located over, under, within and adjacent the beds of rivers and lakes, and</i></p> <p>(f) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</p> <p>(g) <i>The safe, efficient and effective use of the Strategic Transport Network</i></p>
<p>Existing regionally significant infrastructure and renewable electricity generation facilities: Policy 13</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the Policy but notes that development of such infrastructure is absent. It is unclear how major upgrades to the Transport Agency's network (e.g. the RoNS) would be defined (it is the Transport Agency's view that new works would be an upgrade of the existing network), and clarity on this would be welcomed.</p> <p>In the event major upgrades would be deemed 'development', then there is a need to recognise and provide for this. A new policy to this effect has been sought.</p>	<p>■ Amend Policy 13: The use, operation, maintenance, and upgrade <i>and development of existing</i> regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</p> <p>Or</p> <p>■ Retain Policy 13 (i.e. excluding 'development') and add a new policy to enable new development: <i>The development of new regionally significant infrastructure and renewable energy generation activities to meet the needs of the community are beneficial and are generally appropriate.</i></p>
<p>Incompatible activities: Policy 14</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the Policy but seeks amendments to better protect its activities, operations and assets. It is noted the policy applies an 'avoid, remedy or mitigate' approach as opposed to only avoid and this approach is acceptable to the Transport</p>	<p>■ Retain Policy 14: Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and</p>

		Agency and seeks it be applied elsewhere in the PNRP.	development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects <i>which may compromise the efficient and effective use, maintenance, upgrading or development of that infrastructure.</i>
Maori Values Policy 19	Support with amendment	The Transport Agency supports the intent of the policy but has concerns that it fails adopt an effects based approach. The policy introduces what is an ongoing requirement to minimise effects, whereas the reality for large infrastructure projects is often reaching an acceptable and balanced level of effects between different values.	<ul style="list-style-type: none"> <li>■ Amend Policy P 19: The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be <u>avoided, remedied, or mitigated</u> <del>minimised</del>.</li> </ul>
Statutory Acknowledgement: Policy 21	Support with amendment	In a resource consent application process context, the Transport Agency notes the statutory acknowledgement would be had regard to and summaries of applications would be forwarded to trustees / members to provide the opportunity to provide comment. This is supported by the Transport Agency, especially in the context of Section 6(e) and 8 of the RMA. From an applicant perspective, it would be beneficial if a plan of the statutory acknowledgement areas was included in Schedule D. This would enable applicants to easily identify such areas assist in the identification of stakeholders / interested parties early on in project scoping exercises.	<ul style="list-style-type: none"> <li>■ Include a plan in Schedule D illustrating the statutory acknowledgement areas as well as contact details for iwi and hapu where appropriate.</li> </ul>
Ecosystem values of estuaries: Policy 22	Support with amendment	The Transport Agency notes that only significant adverse effects are addressed in an estuarine and harbour context and considers that a broader framework needs to be provided. The Transport Agency seeks reference to avoidance, remediation and mitigation.	<ul style="list-style-type: none"> <li>■ Amend Policy 22: <del>Significant</del> Adverse effects on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as a nursery for important fish stocks, shall be avoided <u>remedied or mitigated</u>.</li> <li>■ Retain Policy 23</li> </ul> <p>The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:</p> <p>(a) managing activities to reduce sedimentation rates and pollutant inputs, and</p>
Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa: Policy 23	Support	Noting that the Transport Agency has a number of assets in and near the Te Awarua-o-Porirua Harbour and Wellington Harbour (Port Nicholson) it supports the intent of the policy.	



<p>Outstanding natural character: Policy 24</p>	<p>Support with amendment</p>	<p>The Transport Agency is concerned with the wording of this policy and its implications from an applicant's perspective. Firstly, there appears to be no outstanding natural landscapes identified in the PNRP. This makes it impossible for submitters to assess and understand the implications of the policy in the context of their assets / interests. The Transport Agency would expect that the introduction of such landscapes would require a formal plan change process. Secondly, the policy uses the term 'avoid' which implies a 'bottom line' which from a consent application perspective is not appropriate. The Transport Agency also notes that if the intent was to 'avoid' then a prohibited activity status would be relevant, and this is evidently not the intention.</p>	<p>(b) managing erosion-prone land and riparian margins in their catchments, and (c) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.</p> <p>Amend Policy 24 Areas of outstanding natural character in the coastal marine area will be preserved by:</p> <p>(a) <del>Protecting</del> <del>avoiding</del> <del>adverse effects of activities on</del> natural character in areas of the coastal marine area with outstanding natural character <del>by avoiding inappropriate use and development</del>, and (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and (d) maintaining the high levels of naturalness of these areas, and (e) <del>avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</del></p>
<p>Natural character: Policy 25</p>	<p>Support with amendment</p>	<p>The Transport Agency is generally supportive of the policy in that overall, it seeks to avoid, remedy or mitigate adverse effects on natural character in the coastal marine area and the beds of lakes and rivers. The Transport Agency is of the opinion that the policy can be simplified, as well as apply an effects-based approach, as opposed to the bottom-line approach. The Transport Agency generally supports the intent of Policy 25(d), but considers its focus should be amended to better reflect the RMA and also acknowledge that some development and use is appropriate e.g. infrastructure of regional importance.</p>	<p>Amend Policy 25: Use and development shall avoid, <del>remedy or mitigate</del> <u>significant</u> adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and <del>avoid</del> <del>remedy or mitigate</del> <del>other</del> <del>adverse effects of activities</del>, taking into account:</p> <p>(d) whether <del>it is practicable to protect natural character from inappropriate use and development through the use and development is appropriate after considering:</del></p> <p>(i) <del>using</del> <del>an</del> <del>the</del> <del>use</del> of alternative locations, or form of development that would be more appropriate to that location; and</p> <p>(ii) <del>considering the extent to which functional need</del></p>

				<p>or existing use limits location and development options;</p> <p>(iii) <u>whether the use or development is regionally significant infrastructure</u></p>
<p>Natural processes: Policy 26</p>	<p>Support with amendment</p>	<p>The Transport Agency considers the policy is not consistent with effects based planning. Development such as the construction of a bridge or culvert to accommodate a road for example, may interfere with natural processes, but can be designed to be acceptable from an effects perspective.</p>	<p>The Transport Agency generally supports the policy subject to a number of amendments.</p>	<p>Amend Policy 26: Use and development will be managed to minimise avoid, remedy or mitigate effects on the integrity and functioning of natural processes.</p>
<p>High hazard areas Policy 27</p>	<p>Support with amendment</p>			<p>Amend Policy 27: Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where:</p> <p>(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and</p> <p>(b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and</p> <p>(c) the development does not cause or exacerbate natural hazards in other areas <u>to an unacceptable degree</u>; and</p> <p>(d) <del>interference with natural processes (coastal, fluvial and lacustrine processes) is minimised, and</del></p> <p>(e) . . .</p>
<p>Hazard mitigation measures: Policy 28</p>	<p>Oppose</p>	<p>The Transport Agency opposes the policy (as well as the object (22) which the policy is seeking to achieve). Hazard mitigation measures must be fit for purposes and a presumption to avoid hard engineering solutions, especially for existing infrastructure protection only, is not appropriate. From a cost perspective, hard solutions are typically more expensive and so soft options would be investigated where such design is fit for purpose in the local setting. Ultimately, it is the effects of those solutions which should form the basis of the policy intent. The policy should also contemplate new development, as well as existing development.</p>		<p>Replace Policy 28: Hard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor.</p> <p><u>Avoid, remedy or mitigate the environmental effects of natural hazards</u></p>

<p>Aquatic ecosystem health and mahinga kai: Policy 31</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the policy but considers parts of it can be deleted as it relates more to the objective which is trying to be achieved, as opposed what a policy should address i.e. how the objective will be achieved. While generally supportive of what it is trying to achieve, the Transport Agency questions the need for this policy as it describes specific measures and activities that should be minimised and avoided, whereas the intent of the policy should be managing effects – as Policy 32 does, albeit in the context of significant effects. The Transport Agency's concerns is that it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure. This being the case, the Transport Agency believes that the terms 'minimise' and 'avoid' should be replaced with 'avoid', 'remedy' or 'mitigate', or alternatively provide a further sub-clause which recognises there may be functional and operational requirements associated with the use and development of resources.</p>	<p><i>by ensuring that mitigation and protection methods reduce risk to existing and new development using the risk based approach.</i></p> <ul style="list-style-type: none"> <li>■ Amend Policy 31: Aquatic ecosystem health and mahinga kai shall be maintained or restored by <del>Managing</del> the effects of use and development on physical, chemical and biological processes to <u>avoid, remedy or mitigate</u>;</li> <li>.....</li> <li>[delete terms minimise and avoid in sub-policies]</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>■ Add a new sub-clause to acknowledge that there may be functional and operational requirements associated with the use and development of resources.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>■ Delete Policy 31 and rely on Policy 32 to avoid, remedy or mitigate effects.</li> </ul>
<p>Adverse effects on aquatic ecosystem health and mahinga kai Policy 32</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the cascading framework and intent of the policy. The Transport Agency recognises it may be appropriate to offset effects where those effects are causing effects beyond those deemed to be acceptable. The Transport Agency does not support the need to offset all and any residual effects – this is dependent on the scale and nature of the residual effects. The RMA is not a "no-effects" statute and to this extent a requirement to provide benefits beyond 'avoid, remedy or mitigate' are beyond that contemplated under the RMA framework.</p> <p>The Transport Agency notes that offsetting in this context need not be restricted to solely biodiversity offsetting.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 32 (d): (d) where residual adverse effects remain, it <u>may be</u> is appropriate to consider the use of biodiversity offsets.</li> </ul>

<p>Protecting indigenous fish habitat: Policy 33</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the policy has concerns that it may not always be possible to avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.</p>	<p>■ Amend Policy 33: The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided <u>where practicable</u>. . . .</p>
<p>Fish Passage – Policy 34</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the general intent of the policy although there is a need to recognise that during construction activities, barriers may be unavoidable.</p>	<p>■ Amend Policy 34: The construction or creation of new <u>permanent</u> barriers to the passage of fish and koura species shall be avoided</p>
<p>Restoring fish passage: Policy 35</p>	<p>Support with amendment</p>	<p>The NZTA is committed to ensuring that the successful migration of fish species is not disrupted solely as a result of its network, through the appropriate design of new culverts to allow for fish passage.  While the Transport Agency will proactively seek opportunities to make improvements to existing State highway infrastructure to better enable fish passage, the Transport Agency does not believe the requirement for retrofitting existing structures to provide fish passage is practicable or appropriate. The Transport Agency also seeks a refocus of the policy to emphasise the appropriateness of the policy is not necessarily confined to the management and protection of fish. It is important to note that there may be instances where providing fish passage is not practicable or appropriate. The policy should provide some element of flexibility to recognise this.</p>	<p>■ Amend Policy 35: <del>Where practicable and appropriate, the passage of indigenous fish and koura shall be restored where this is appropriate for the management and protection of indigenous fish and koura populations.</del></p>
<p>Effects on indigenous bird habitat: Policy 36</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the policy but has concerns that it fails adopt an effects based approach. The policy introduces what is in-effect a bottom line, whereas the reality for large infrastructure projects is often reaching an acceptable and balanced level of effects between different values (e.g. the best practicable option).</p>	<p>■ Amend Policy 36: The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be <u>avoided, remedied or mitigated, minimised</u>.</p>

Values of wetlands: Policy 37	Support with amendment	The Transport Agency supports the intent of the policy but has concerns in that it does not contemplate that adverse effects may be unavoidable e.g. regionally significant infrastructure. In this context, an element of flexibility is required.	<ul style="list-style-type: none"> <li>■ Amend Policy 37: <u>To the extent practicable, Activities in and adjacent to natural wetlands shall be managed to maintain their values including:</u> (a) . . . .</li> </ul>
Adverse effects on outstanding waterbodies: Policy 39	Support with amendment	The Transport Agency supports the intent of the policy but has concerns in that it does relates to all, not 'significant', adverse effects as some other policies do, and also that the term avoid sets a bottom line which is inconsistent with effects based planning. In a resource consent context, the true intent of the word avoid would equate to a prohibited activity status and this is not the case (appropriately) in the rule framework.	<ul style="list-style-type: none"> <li>■ Amend Policy 39: The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, or <u>remedied or mitigated where avoidance is not practicable.</u></li> </ul>
Ecosystems and habitats with significant indigenous biodiversity values: Policy 40	Support with amendment	The Transport Agency supports the intent of the policy but has concerns in that it does not contemplate that some use and development may be appropriate and / or necessary.	<ul style="list-style-type: none"> <li>■ Amend Policy 40 Protect <u>from inappropriate use and development</u> and restore, <u>where degraded,</u> the following ecosystems and habitats with significant indigenous biodiversity values: . . . . .</li> </ul>
Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values: Policy 41	Support with amendment	The Transport Agency supports this policy to the extent that it contemplates a scenario whereby effects may not be able to be avoided and furthermore, the policy sets an effects-based management hierarchy. The Transport Agency notes that offsetting in this context need not be restricted to solely biodiversity offsetting.	<ul style="list-style-type: none"> <li>■ Amend Policy 41: (d) where residual adverse effects remain, it <u>may be</u> appropriate to consider the use of biodiversity offsets.</li> </ul>
Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values:	Support with amendment	The Transport Agency generally supports this policy. The Transport Agency notes that offsetting in this context need not be restricted to solely biodiversity offsetting.	<ul style="list-style-type: none"> <li>■ Amend Policy 42 (b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, <u>where appropriate,</u> and</li> </ul>

Policy 42			
Protection and restoration of sites with significant mana whenua values: Policy 44	Support with amendment	The Transport Agency supports the intent of the policy but has concerns in that it does not contemplate that some use and development may be appropriate and / or necessary.	<p>■ Amend Policy 44</p> <p>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected <u>from inappropriate use and development</u> and/or restored.</p>
Sites with significant mana whenua values Policy 45	Support with amendment	<p>The Transport Agency supports this policy to the extent that it contemplates a scenario whereby effects may not be able to be avoided and furthermore, sets a process whereby effects can be assessed. The Transport Agency has concerns in respect of policy wording related to the adverse effects being managed with tikanga and kaupapa Maori as recommended in the cultural impact assessment, and also that the written consent of the authority be obtained. These may not be achievable, especially in the context of a large infrastructure project. Cultural effects need to be balanced with other effects (inclusive of positive effects) and to set what is in effect a bottom-line requirement is inappropriate. Offsetting is sought to be included as it is iwi and hapu who will determine whether it is appropriate on a case by case basis. To exclude offsets on the basis that it is unlikely to be acceptable is inappropriate.</p>	<p>■ Amend Policy 45:</p> <p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided <u>where practicable</u>.</p> <p>If the site cannot be avoided, more than minor adverse effects on the significant mana whenua values must be evaluated through a cultural impact assessment undertaken by the relevant iwi authority or iwi authorities. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Māori <u>and, where practicable, shall take into consideration any recommendations</u> ed in the cultural impact assessment by:</p> <ul style="list-style-type: none"> <li>(a) avoiding more than minor adverse effects, and</li> <li>(b) where more than minor adverse effects cannot be avoided, remedying them, and</li> <li>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</li> <li>(d) <del>receiving written consent of the iwi authority.</del></li> </ul> <p><del>Where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects</del></p>

<p>Protection of outstanding natural features and Landscapes: Policy 48</p>	<p>Support with amendment</p>	<p>The Transport Agency is concerned with the wording of this policy and its implications from an applicant's perspective and the fact there is no clarification of values provided. Firstly outstanding natural features and landscape are not identified in the Plan, and secondly the policy uses the term 'avoid adverse effects' as a bottom line, but incorporates both coastal and non-coastal areas. This is important in the context of the NZCPS and the application of this policy approach to non-coastal areas e.g. beds of lakes and rivers. Existing transportation networks form part of landscapes and it is important to recognise and provide for this.</p>	<p>in-sites-with-significant-ma-nua-values-is-inappropriate.</p> <p>Amend Policy 48: The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</p> <p>(a) avoiding adverse effects of <u>inappropriate</u> activities on outstanding natural features and landscapes, and</p> <p>(b) avoiding <del>significant adverse effects and avoiding</del>, remedying or mitigating <del>other</del>-adverse effects of activities on natural features and landscapes.</p>
<p>Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes: Policy 49</p>	<p>Support with amendment</p>	<p>The Transport Agency notes that the policy is specific to areas within the coastal marine area. The Transport Agency seeks an amendment to the policy wording to remove the bottom-line (i.e. no effects) approach to it. In a resource consent context, the true intent of the word avoid would equate to a prohibited activity status and this is not the case (appropriately) in the rule framework.</p>	<p>Amend Policy 49: Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by <u>where practicable</u>:</p> <p>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</p> <p>(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape; while also considering;</p> <p>(c) <u>whether it is necessary to enable the development, operation, maintenance or upgrade and development of regionally significant infrastructure</u></p>

<p>Managing ambient air quality: Policy P52</p>	<p>Support with amendment</p>	<p>The Transport Agency is generally supportive of the policy.</p>	<p>■ Retain Policy 52: Ambient air quality shall be managed to protect human health and safety by: (a) . . . . . (c) managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are <u>avoided, remedied or mitigated</u> .</p>
<p>Managing Air Amenity Policy 55.</p>	<p>Support with amendment</p>	<p>The Transport Agency is generally supportive of the policy.</p>	<p>■ Amend Policy 55: Air quality amenity in urban, rural and the coastal marine areas shall be managed to <u>minimise so that</u> offensive or objectionable odour, smoke and particulate matter, fumes, ash and visible emissions <u>are minimised</u></p>
<p>National Environmental Standard for Air Quality Policy 61</p>	<p>Support</p>	<p>The Transport Agency is generally supportive of the intent of this policy.</p>	<p>■ No specific relief sought.</p>
<p>Discharges to land and water Policy 62</p>	<p>Support</p>	<p>The Transport Agency notes that some of its construction activities may be assessed under this policy (e.g. dewatering for example). The Transport Agency generally supports the intent of the policy which promotes land based discharges and this is consistent with the Transport Agency's approach. The Transport Agency believes sufficient flexibility is provided in the policy where land based discharges are not possible or practicable.</p>	<p>■ Retain Policy 62: The discharge of contaminants to land is promoted over direct discharges to water, particularly where there are adverse effects on (a) aquatic ecosystem health and mahinga kai, or (b) contact recreation and Māori customary use.</p>
<p>Improving water quality for contact recreation and Māori customary use: Policy 63</p>	<p>Neutral</p>	<p>The Transport Agency notes the intent of the policy and is generally supportive of improving water quality. However, the Transport Agency notes that 'stormwater management strategies' are exclusive to local authorities and queries if this is the intent. The Transport Agency also note reference to whaitua committees identifying methods and timeframes to improve water quality. The Transport Agency believes industry representation in those processes is required.</p>	<p>■ No specific relief sought</p>



<p>Minimising effects of discharges: Policy 67</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the intent of the policy. In doing so, it notes that it would have difficulty in meeting sub policy (a) and avoiding the production of contaminants from roads (i.e. vehicles generate the contaminants), but that (a), (b) and (c) are followed by the word 'or' which means that sub policy (d) can also apply. The Transport Agency adopts this approach of minimising the effects of discharges.</p>	<p>■ Amend Policy 67:</p> <p>The adverse effects of discharges of contaminants to land and water will be <del>avoided, remedied or mitigated</del> minimised by:</p> <ul style="list-style-type: none"> <li>(a) avoiding the production of the contaminant, and/or</li> <li>(b) reusing, recovering or recycling the contaminant, and/or</li> <li>(c) minimising the volume or amount of the discharge, and/or</li> <li>(d) using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and</li> <li>(e) irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.</li> </ul>
<p>Managing point source discharges for aquatic ecosystem health and mahinga kai: Policy 70</p>	<p>Provisionally support</p>	<p>The Transport Agency is unclear as to the application of this policy in the context of an existing resource consent. The discharge enabled by the consent would be managed via consent conditions and in this context it is irrelevant if the discharge is 'appropriate' in the context of the policy. It is acknowledged that review conditions on consents could render the policy applicable. The Transport Agency supports the statement related to offsets.</p>	<p>■ Clarify the intent of Policy 70a),</p> <p>Where an objective in Table 3.4, Table 3.5, Table 3.6 or Table 3.8 of Objective O25 is not met, point source discharges to water shall be managed in the following way:</p> <ul style="list-style-type: none"> <li>(a) <del>for an existing activity that contributes to the objective not being met, the discharge is only appropriate if:</del> <ul style="list-style-type: none"> <li>(i) <del>the application for resource consent includes a defined programme of work for upgrading the activity, in accordance with good management practice, within the term of the resource consent;</del></li> <li>and</li> <li>(ii) <del>conditions on the resource consent require the reduction of adverse effects of the activity in order to improve water quality in relation to the objective within the term of the consent; and</del></li> </ul> </li> <li>(b) for a new activity, the discharge is only appropriate if the activity would not cause the affected fresh water body or area of coastal water to become any worse in relation to the</li> </ul>

			<p>objective.</p> <p>In assessing the appropriateness of a new or existing discharge, the ability to offset residual adverse effects may be considered.</p>
<p>Quality of discharges: Policy 71</p> <p>Zone of reasonable mixing: Policy 72</p>	<p>Support</p> <p>Support with amendment</p>	<p>The Transport Agency is generally supportive of the intent of this policy.</p> <p>The term zone of reasonable mixing is defined in the PNRP with a specific meaning which sets its extent. Notwithstanding its applicability to the coastal waters, the policy is at odds with the definition and clarification is sought on this.</p>	<ul style="list-style-type: none"> <li>■ No specific relief sought.</li> <li>■ Amend Policy 72</li> </ul> <p>Where not otherwise permitted by a rule, the zone of reasonable mixing shall be minimised and will be determined on a case-by-case basis. In determining the zone of reasonable mixing, particular regard shall be given to. . . . .</p> <p>and</p> <p>consider whether policy 72 is intended to apply to coastal waters or whether the definition of zone of reasonable mixing requires amendment / deletion.</p>
<p>Stormwater: Policy 73</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the intent of the policy but has concerns that it fails to adopt an effects based approach. The policy introduces what is in-effect a continual requirement to minimise effects and this is not considered appropriate. The Transport Agency supports the concept of progressive improvements to stormwater quality.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 73:</li> </ul> <p>The adverse effects of stormwater discharges shall be minimised to the extent practicable including by . . . . .</p> <p>(d) progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade.</p>
<p>First-stage local authority network consents: Policy 74 and 75</p>	<p>Neutral</p>	<p>The Transport Agency sees no justification for local authority stormwater networks having a separate policy / rule framework which provides a more permissive consenting framework. The Transport Agency is an environmentally responsible operator and should be treated the same as a local authority applicant in the context of this policy. It is the effects of the activity, not who the operator is, that should dictate process and outcomes.</p>	

<p>Managing stormwater from large sites: Policy 78</p>	<p>Support with amendment</p>	<p>The Transport Agency is generally supportive of this policy as it is largely consistent with its own environmental policy for managing stormwater and achieving progressive stormwater quality improvements. However, the Transport Agency notes that the policy introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable, then there should be no on-going requirement to minimise effects.</p> <p>The Transport Agency supports the inclusion of sub clause (e) and implementing good management practice and progressive improvement of discharge quality over time. This is consistent with the Transport Agency's environmental policy.</p>	<p>■ Amend Policy 78:</p> <p>The adverse effects of the discharge of stormwater from a port, airport or state highway, where the discharge will enter water shall be minimised <u>to the extent practicable</u> by:</p> <ul style="list-style-type: none"> <li>(a) managing the discharge in order to minimise the adverse effects of stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, and</li> <li>(b) identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and</li> <li>(c) progressively implementing methods identified in (b), and</li> <li>(d) having particular regard to protecting sites with identified significant or outstanding values, and</li> <li>(e) implementing good management practice, including in accordance with Policy P73, and progressive improvement of discharge quality over time.</li> </ul>
<p>Discharges from contaminated land Policy 89</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the intent of the policy but notes it introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable (i.e. remediated), then there should be no on-going requirement to minimise effects. The Transport Agency notes that the contaminated land provisions do not address human health and this is supported. This is an issue for the district / city councils as opposed to the regional council.</p>	<p>■ Amend Policy 89:</p> <p>The discharge of hazardous substances from contaminated land, including closed landfills, is managed so that the significant-adverse effects on fresh water, including <u>freshwater, groundwater and coastal water</u>, and air is <u>are avoided or remedied, or where this is not possible, mitigated to the extent practicable</u> <del>minimised</del>.</p>
<p>Managing sediment discharges: Policy 97</p>	<p>Support with amendment</p>	<p>While generally supportive of the intent of the policy, the Transport Agency does not support the focus on minimise effects as it introduces what is in-effect a continual requirement to minimise effects. Where effects have been minimised to the extent they are acceptable, then there should be no on-going requirement to minimise effects. The focus should be on avoiding, remedying and mitigating to provide an enabling framework. The Transport Agency supports the notion of using good</p>	<p>■ Amend Policy 97:</p> <p>The discharge of sediment to surface water bodies and coastal water from earthworks activities shall be <del>minimised</del> <u>avoided, remedied or mitigated to the extent practicable</u> by using a source control approach.</p> <p>Good management practices shall be used in site management,</p>

		management practices.	erosion and sediment control design operation and maintenance. In order to minimise the adverse effects of sediment-laden stormwater discharges.
Accelerate soil erosion Policy 98	Support with amendment	The Transport Agency supports the intent of the policy but considers additional word could be included to support good practice.	Effects that cannot be minimised may be appropriately offset:  <ul style="list-style-type: none"> <li>■ Amend Policy 98 (c);</li> <li>(a) ensure the site is stabilised, <u>including progressively stabilised where appropriate</u>, and vegetation cover is restored <u>as soon as practicable</u>.</li> </ul>
Reclamation or drainage of the beds of lakes and rivers: Policy 102	Support with amendment	The Transport supports the intent of Policy 102(d) which provides an enabling framework for the reclamation or drainage of the beds of lakes and rivers where necessary for the development, operation, maintenance and upgrading of regionally significant infrastructure. The Transport seeks the inclusion of the BPO process to provide some clarity on what entails (via definition).	<ul style="list-style-type: none"> <li>■ Amend Policy 102(d);</li> <li>(d) necessary to enable the development, operation, maintenance, and upgrade and development of regionally significant infrastructure, or;</li> <li>(e) . . . . .</li> <li>(f) In respect of (a) to (e) <u>the method selected is the best practicable option of providing for the activity there are no practicable alternative methods of providing for the activity</u>; or</li> </ul>
Protecting trout habitat: Policy 105	Support with amendment	The Transport Agency supports the intent of this policy to the extent that it protects trout habitat. However, the Transport Agency is concerned the policy introduces what is in-effect a continual requirement to minimise effects. Where effects have been avoided, remedied or mitigated to the extent they are acceptable, then there should be no on-going requirement to minimise effects.	<ul style="list-style-type: none"> <li>■ Amend Policy 105 by adding 'to the extent practicable' to the end of sub clauses (b) and (e).</li> </ul>
Site Dewatering Policy 126	Support with amendment	The Transport Agency supports the intent of this Policy subject to an amendment seeking to avoid adverse effects.	<ul style="list-style-type: none"> <li>■ Amend Policy 126</li> </ul> <p>Localised land subsidence or adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water shall be minimised <u>be avoided to the extent practicable</u>.</p>
Bores: Policy 130	Support	The Transport Agency supports the wording of Policy 130 which provides an enabling framework for the investigation for geotechnical, contamination or other investigative purposes.	<ul style="list-style-type: none"> <li>■ Retain Policy 130.</li> </ul>

<p>Primary coastal policies Policy 132</p>	<p>Support</p>	<p>The Transport Agency supports the wording of Policy 132. It recognises the issue of certain use and development, such as regionally significant infrastructure, having a functional and operational need to be located in the coastal marine area. The Transport Agency also supports the provision that provides for public access 'where appropriate' and in some instances this is not appropriate due to health and safety reasons. Furthermore, the Transport Agency supports the provision that seeks to concentrate use and development in locations where similar use and development exist, subject to that being practicable.</p>	<p>■ Retain Policy 132</p> <p>Use and development in the coastal marine area shall:</p> <ul style="list-style-type: none"> <li>(a) have a functional need, or</li> <li>(b) have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or</li> <li>(c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c):</li> <li>(d) only use the minimum area necessary, and</li> <li>(e) be made available for public or multiple use where appropriate, and</li> <li>(f) result in the removal of structures once redundant, and</li> <li>(g) concentrate in locations where similar use and development already exists where practicable.</li> </ul>
<p>Public open space values and visual amenity: Policy 134</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the intent of the policy subject to an amendment to quantify the level of effects.</p>	<p>■ Amend Policy 134:</p> <p>The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be <u>avoided, remedied or mitigated</u> by: . . .</p>
<p>Structures in sites with significant values: Policy 138</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the wording of Policy 138. It recognises that new and replacement structures and additions and alterations to existing structures is necessary to enable regionally significant infrastructure related activities. While supportive of the policy, the Transport seeks the inclusion of the BPO process to provide some clarity on what entails (via a definition and policy).</p>	<p>■ Amend Policy 138:</p> <p>New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where:</p> <ul style="list-style-type: none"> <li>. . . .</li> <li>(d) it is necessary to enable the <del>development</del> operation, maintenance and upgrade <u>and development</u> of regionally significant infrastructure</li> </ul> <p>and in respect of (a) to (d):</p>

Seawall: Policy 139	Support with amendment	<p>The Transport Agency supports the wording of Policy 139. It recognises that seawalls may be required to protect existing and new regionally significant infrastructure. The Transport Agency seeks the inclusion of reference to adopting the best practicable option (to provide clarity on what that entails (via definition). The Transport Agency does not support the reference to incorporating soft engineering as the design optioneering will form part of the best practicable option assessment.</p>	<p>(e) <del>the activity represents the best practicable option there are no practicable alternative methods of providing for the activity.</del></p> <ul style="list-style-type: none"> <li>■ Amend Policy 139</li> </ul> <p>The construction of a new seawall is inappropriate except where the seawall is required to protect:</p> <ul style="list-style-type: none"> <li>(a) existing, or upgrades to, <u>or replacement of</u> infrastructure, or</li> <li>(b) new regionally significant infrastructure, and in respect of (a) and (b):</li> <li>(c) <del>the activity represents the best practicable option there is no reasonable or practicable alternative means, and</del></li> <li>(d) suitably located, designed and certified by a qualified, professional engineer, and</li> <li>(e) <del>designed to incorporate the use of soft engineering options where appropriate.</del></li> </ul>
Lambton Harbour Area: Policy 142	Support with amendment	<p>The Transport Agency supports the wording of Policy 141. While not specifically recognising regionally significant infrastructure per se, it does recognise that use and development which enables social and economic benefits to the city and beyond, and which provides for open space, pedestrian and cycling routes and access to the water is acceptable. These aspects, some of which are regionally significant infrastructure, should be enabled.</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 141:</li> </ul> <p>Use and development of the Lambton Harbour Area may be appropriate if the use and development: . . . .</p> <ul style="list-style-type: none"> <li>(g) enables social and economic benefits to Wellington City and the wider region, and</li> <li>(h) provides for open space, pedestrian and cycle through routes and access to and from the water, and. . . .</li> <li>(k) <del>is regionally significant infrastructure which has a functional need or operational requirement to be located in the Lambton Harbour Area.</del></li> </ul>
Deposition in a site of significance: Policy 143	Support with amendment	<p>The Transport Agency generally supports the wording of Policy 143. While supportive of the policy, the Transport Agency seeks the inclusion of the BPO process to provide some clarity on what entails (via definition).</p>	<ul style="list-style-type: none"> <li>■ Amend Policy 143:</li> </ul> <p>Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J</p>

Other activities in the CMA Policy 144	Support with amendment	The Transport Agency generally supports the wording of Policy 144. While supportive of the policy, the Transport Agency seeks the inclusion of the BPO process to provide some clarity on what entails (via definition and policy).	<p>(geological features) shall be avoided except where:</p> <p>... .</p> <p>(f) it is necessary to enable the efficient <u>and effective</u> development, operation, maintenance and upgrade or <u>development</u> of regionally significant infrastructure, and in respect of (a) to (f):</p> <p>(g) <u>the activity represents the best practicable option there are no practicable alternative methods of providing for the activity.</u></p> <p>■ Amend Policy 144</p> <p>Dumping in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</p> <p>(a) it is necessary to enable the <u>effective and efficient</u> development, operation, maintenance and upgrade <u>or development</u> of regionally significant infrastructure, and</p> <p>(b) <u>the activity represents the best practicable option there are no practicable alternative methods of providing for the activity.</u></p>
Other activities in the CMA Policy 145	Support with amendment	The Transport Agency generally supports the wording of Policy 145. While supportive of the policy, the Transport Agency seeks the inclusion of the BPO process to provide some clarity on what entails (via definition).	<p>■ Amend Policy 145:</p> <p>Reclamation, drainage or destruction in the coastal marine area shall be avoided except where:</p> <p>(a) the reclamation, drainage or destruction is associated with the development, operation, maintenance and upgrade <u>or development</u> of regionally significant infrastructure, and</p> <p>(b) there are no other <u>practical</u> locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and</p> <p>(b) <u>the activity represents the best practicable option there are no practicable alternative methods of providing for the associated activity.</u></p>

**Chapter 5: Rules**

**Discharges to Air**

Emergency power generators –Rule 12	Support	The Transport Agency supports this pragmatic rule	<ul style="list-style-type: none"> <li>■ Retain Rule 12</li> </ul>
Abrasive blasting outside an enclosed booth – Rule 26	Support	The Transport Agency supports this pragmatic rule. A note should be added to provide clarity on what a noxious, dangerous, offensive or objectionable discharge is – refer to submission on Rule 27 or alternatively add it to the definitions to avoid repetition.	<ul style="list-style-type: none"> <li>■ Retain Rule 26</li> </ul>
Handling of aggregate Rule 27	Support with amendment	The Transport Agency generally supports this pragmatic rule but considers clarity on what a noxious, dangerous, offensive or objectionable. Clarity is required for this rule, as well as other rules which use the term(s). A definition for this term could be provided to avoid repetition.	<ul style="list-style-type: none"> <li>■ Amend Rule 27: The discharge of contaminants into air from the handling of aggregate (rock, sand and shingle) including blasting, extraction, crushing, screening, processing, stockpiling, handling, conveyance and storage is a permitted activity, provided the following condition is met: (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.  <i>Note: for the purposes of this rule, a noxious, dangerous, offensive and objectionable discharge is a discharge that is considered to be noxious, dangerous, offensive of objectionable by at least two independent observers, including at least one suitably trained Council officer, after considering the FIDOL factors (Frequency, Intensity, Duration, Offensiveness and Location)</i></li> </ul>
Fuel storage Rule 32	Support	The Transport Agency supports this pragmatic rule. Fuel is often stored by contractors undertaking work on the State Highway. The Transport Agency requires that fuel is safely and securely stored.	<ul style="list-style-type: none"> <li>■ Retain Rule 32</li> </ul>
Mobile Source Emissions Rule 33	Support	The Transport Agency supports the rule. Emissions from such sources are not regulated or able to be managed by the Transport Agency in an RMA context.	<ul style="list-style-type: none"> <li>■ Retain Rule 33</li> </ul>



Agrichemicals – Rule 36	Support	The Transport Agency generally supports the intent of rule but seeks confirmation that if the application is by the use of a hand-held instrument, then the discharge is permitted. The Transport Agency would support this approach. Alternatively, if the above interpretation is inaccurate, the discharge of agrichemicals to control State highway berms (and other assets) should be enabled as a permitted activity subject to conditions a), b) and c) of the proposed rule.	<ul style="list-style-type: none"> <li>■ No specific relief sought</li> </ul>
All other discharges to air Rule 41	Support	The Transport Agency supports a catch-all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 41</li> </ul>
<b>Discharges to Water</b>			
Minor Discharges to Water Rule 42	Support	The Transport Agency generally supports the rule 42 which provides for minor discharges as a permitted activity where not otherwise covered by the plan rules.	<ul style="list-style-type: none"> <li>■ Retain Rule 42, including: The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretion, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met: ..... (a) If the discharge is from dewatering, the discharge is not from contaminated land</li> </ul>
Discharge of water to water Rule 43	Support	The Transport Agency supports the enablement of the discharge of water to water as a permitted activity, subject to compliance with conditions.	<ul style="list-style-type: none"> <li>■ Retain Rule 43: The discharge of water into water is a permitted activity, provided the following conditions are met: (a) the discharge is to the same water body or area of coastal water it was taken from, and (b) the quality of the discharged water is the same as or better than the quality of the water body or area of coastal water it was taken from, and (c) the discharge shall not cause a change in temperature of</li> </ul>

Stormwater from an individual property - Rule 48	Oppose in principle	<p>The Transport Agency supports intent of the rule which provides for the discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property as a permitted activity, and notes the term individual property would not exclude the Transport Agency's assets. However, the Transport Agency notes that stormwater discharges from a state highway (but not walkways and cycleways) are specifically excluded (via sub-clause (c)). The Transport Agency opposes this as it is the effects of the discharge which need to be assessed (and managed) not the land use from where the discharge originates.</p>	<p>more than 2°C in the receiving water after the zone of reasonable mixing, and</p> <p>(d) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.</p>
Stormwater to land Rule 49	Support	<p>The Transport Agency supports intent of the rule which provides for the discharge of stormwater onto or into land from an individual property as a permitted activity, and notes the term individual property would not exclude the Transport Agency's assets. The Transport Agency considers it is the effects of the discharge which need to be assessed (and managed) not the land use from where the discharge originates.</p>	<p>Amend Rule 48:  The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property is a permitted activity, provided the following conditions are met:  . . . . .  (e) <del>the discharge is not from a local authority stormwater network, a port, airport or state highway, and</del>  . . . . .</p>
Stormwater to land and water – new rule	Neutral	<p>The current rule framework for stormwater applies a retrospective consent requirement for all State highway assets where consent is currently not held. If the Transport Agency is required to obtain consents for the entire State highway in the Wellington region then this would be an administrative and resource issue, especially when some of those discharges may not currently require consent as enabled by the operative plans. To require the Transport Agency to obtain a new consent for existing stormwater discharge is unreasonable in the Transport Agency's view. A more pragmatic approach would be to enable existing discharges as a permitted activity and require consent for new discharges from the date of notification of the plan.</p>	<p>Add a new rule:  <u>Existing permitted or otherwise lawfully established discharges of stormwater into water or onto or into land where it may enter water from a port, airport, railway or state highway existing at the date of notification of the Proposed Natural Resources Plan is a permitted activity.</u></p>
Stormwater from a	Neutral	<p>The Transport Agency does not oppose the rule itself, but rather the</p>	<p>Subject to relief sought under Rule 52, no specific relief sought in</p>

<p>local authority network after 2 years after notification – Rule 51</p>		<p>principle of why a local authority is afforded more leniencies in respect of a timeframe for compliance with other rules, namely rules 52 and a long term stormwater solution. Who the owner or operator is in relation to stormwater generating assets is irrelevant in the context of effects, which is ultimately what the PNRP should be managing. Local authority networks and 'large sites' should be regulated by the same rule framework. It should be noted that the Transport Agency also adopts a strategic catchment-based approach to stormwater management.</p>	<p>respect of Rule 51</p>
<p>Stormwater from large site – Rule 52</p>	<p>Oppose</p>	<p>Noting that the rule had legal effect once notified and that it applies retrospectively, the Transport Agency opposes the rule which by default, immediately requires a stormwater consent (restricted discretionary) for discharges from the state highway within the region. This is considered to be unreasonable given the extent of the network.</p> <p>As an environmentally responsible operator, the Transport Agency is accepting of a stormwater catchment focused approach on new discharges from the state highway. In the context of the State highway network, a global consent would likely be the best consenting solution and therefore it is more practical to apply a per catchment focus, as opposed to the whole network. Applying such a consent to the whole network would be impractical.</p>	<p>■ Amend Rule 52:</p> <p>The discharge of stormwater into water, or onto or into land where it may enter water from a port, airport or state highway <i>from the date the Natural Resources Plan became operative</i> is a restricted discretionary activity.</p> <p>Matters for discretion</p> <ol style="list-style-type: none"> <li>1. The management of the adverse effects of stormwater capture and discharge, including cumulative effects, of stormwater on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use</li> <li>2. The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)</li> <li>3. Minimisation of the adverse effects of stormwater discharges through progressive improvement over time.</li> </ol> <p><i>For the state highway, this rule shall apply on per stormwater catchment basis as opposed to the network in its entirety.</i></p>
<p>All other stormwater – Rule 53</p>	<p>Support</p>	<p>The Transport Agency supports a catch-all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.</p>	<p>■ Retain Rule 53:</p> <p>The discharge of stormwater into water or onto or into land where it may enter water that is not permitted by Rules R48 or R49, or controlled by Rule R50, or a restricted discretionary activity under</p>

			Rules R51 or R52, is a discretionary activity.
Contaminated site investigation - Rule 54	Support	The Transport Agency generally supports the intent of the rule which enables contaminated land site investigations as a permitted activity.	<ul style="list-style-type: none"> <li>■ Retain Rule 54.</li> </ul>
Discharges from contaminated land Rule 55	Oppose	<p>The Transport Agency notes that sub clause a) would require a discharge consent after the notification of the Plan by default and queries why this is the case. Put another way, the rule requires the Transport Agency's entire network to be investigated for contaminated land which is unreasonable in the context of the transportation network.</p> <p>Furthermore, it is unclear why there is a requirement for the site investigation report to conclude concentrations of contaminants in groundwater meets standards which are set to protect 90% / 95% of species. An application of relevant DWS and ANZECC would be more pragmatic.</p>	<ul style="list-style-type: none"> <li>■ Replace Rule 55 with a more enabling and effects-based long term rule for discharges from contaminated land</li> </ul>
Discharges from contaminated land Rule 56	Support with amendment	The Transport Agency does not believe it appropriate to include reference to the 'use' of land. Therefore subject to an amendment to the wording, the Transport Agency supports the rule and a catch-all discretionary activity status. An enabling consenting framework is critical for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Amend Rule 56.</li> </ul> <p>The use of the land, and discharge of contaminants onto or into land from contaminated land where the discharge may enter water that is not permitted by Rule R54 or Rule R55 is a discretionary activity.</p>
Discharges inside sites of significance Rule 67	Oppose	The Transport Agency seeks a catch-all discretionary activity status for discharges from regionally significant infrastructure inside sites of significance. The Transport Agency considers this appropriate as the NRP must give effect to the RPS which requires such infrastructure to be recognised and provided for. The Transport Agency considers an enabling framework is required in this context.	<ul style="list-style-type: none"> <li>■ Amend Rule 67:</li> </ul> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water:</p> <ul style="list-style-type: none"> <li>(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and</li> <li>(b) that is not permitted by Rules R42, R43, R44 or R45; and</li> <li>(c) <i>that is not a discharge associated with a regionally significant infrastructure</i></li> </ul>

All other discharges to water - Rule 68	Support	An enabling consenting framework is critical for infrastructure of regional significance. The Transport Agency supports a catch-all discretionary activity status.	<p>Or</p> <ul style="list-style-type: none"> <li>■ Introduce a new discretionary rule specific to discharges of water or contaminants into water, or onto or into land where it may enter water from regionally significant infrastructure inside sites of significance.</li> <li>■ Retain Rule 68:</li> </ul> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</p> <ul style="list-style-type: none"> <li>(a) permitted by Rules R42, R43, R44 or R45, and</li> <li>(b) is not provided for by Rule R67 or any other rule in this Plan is a discretionary activity.</li> </ul>
<b>Discharges to Land</b>			
Discharge of minor contaminants to land - Rule 69	Support	The Transport Agency generally supports the intent of the rule which enables the discharge of minor contaminants to land as a permitted activity where not otherwise covered by the plan rules.	<ul style="list-style-type: none"> <li>■ Retain Rule 69.</li> </ul>
Cleanfill material - Rule 70	Oppose	The Transport Agency questions the regional council's jurisdiction as to the regulation of clean fill material as currently worded. To avoid duplication of regulation with district / city councils, the regional council's jurisdiction should be confined to cleanfill material being located in floodplains or areas at risk from being inundated from coastal flooding. All other land use matters should be regulated by the district / city council plans. The deposition of cleanfill is similar to more general earthworks which are appropriately not regulated to the same extent (i.e. earthworks exceeding 0.3ha would require consent).	<ul style="list-style-type: none"> <li>■ Amend Rule 70:</li> </ul> <p>The discharge of cleanfill material onto or into land is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) The cleanfill is not located within the bed of a river or lake, a river floodplain, coastal marine area or area at risk from inundation from coastal flooding.</li> <li><del>(a) the cleanfill material is not located within 20m of a surface water body, or bore used for water abstraction for potable supply, and</del></li> <li><del>(b) the cleanfill material is located to avoid being undermined or eroded by natural processes or being inundated from coastal or river flooding, and</del></li> <li><del>(c) the cleanfill material shall be 0.6m above the seasonally highest water table, and</del></li> <li><del>(e) the cleanfill material shall be managed (siting, design and operation) in accordance with Sections 5-8 in A Guide to the Management of Cleanfills (2002), and</del></li> <li><del>(f) the volume of cleanfill material deposited at a property shall</del></li> </ul>

			<p>not exceed 100m<sup>3</sup> and the volume and origin of the cleanfill material and the date the material has been deposited on this property, is recorded using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request; and</p> <p>(h) the cleanfill material shall be stabilised and re-vegetated within six months of completion of the activity.</p>
All other discharges to land - Rule 93	Support	The Transport Agency supports a catch-all discretionary activity status for discharges to land not permitted, controlled, restricted discretionary or non-complying. An enabling consenting framework is critical for infrastructure of regional significance.	<p>■ Retain Rule 93.</p>
<b>Land use</b>			
Earthworks - Rule 99	Support with amendment	The Transport Agency generally supports the intent of the permitted activity rule but does not believe it appropriate to include reference to the 'use' of land. The Transport Agency would not oppose the inclusion of a condition related to there being a need for an erosion and sediment control plan. The Transport Agency also seeks clarity as to which Section of the RMA would trigger the need for a consent. The nature of the rule (i.e. earthworks) is structured to be a land use consent and therefore Section 9 of the RMA applies. However, the rule itself relates to discharges and Section 15 of the RMA. There is uncertainty as to whether a discharge consent would be required in addition to the land use consent. Clarity on this matter should be provided as it is uncertain for plan users.	<p>■ Amend Rule 99: The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous area up to 3,000m<sup>2</sup> per property per 12 month period is a permitted activity, provided the following conditions are met. . . .</p>
Vegetation clearance on erosion prone land - Rule 100	Support with amendment	The Transport Agency generally supports the permitted activity rule but does not believe it appropriate to include reference to the 'use' of land. Again, this issue of which Section of the RMA applies as the nature of the rule (i.e. earthworks) is structured to be a land use consent and therefore Section 9 of the RMA applies while the rule wording relates to discharges and Section 15. Clarity on this matter should be provided as it is uncertain for plan users.	<p>■ Amend Rule 100: The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from vegetation clearance of a contiguous area up to 2ha per property per 12 month period on erosion prone land is a permitted activity, provided the following conditions are met. . . .</p>
Earthworks and	Support with amendment	An enabling consenting framework is critical for infrastructure of regional significance. The Transport Agency supports a catch-all discretionary	<p>■ Amend Rule 101:</p>

<p>vegetation clearance - Rule 101</p>		<p>activity status.</p>	<p>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks or vegetation clearance that is not permitted by Rule R99 or Rule R100 is a discretionary activity.</p>
<p><b>Wetlands and beds of lakes and rivers</b></p>			
<p>Wetlands general conditions (5.5.2)</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the general conditions for activities in natural wetlands, significant wetlands and outstanding natural wetlands. It does however seek an amendment to the fish passage conditions. The amendments are sought to be clear that fish passage is not to be required retrospectively (ie applies only to new structures) and also seeks that fish passage be temporarily restricted for construction and maintenance periods</p>	<p>■ Amend wetland general conditions:</p> <p>(a) there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, or solvent) to water or the bed, other than sediment and other materials inherent to the water or bed, but excluding any discharge of heavy metals or other toxicants, and</p> <p>(b) no cleaning or refuelling of machinery or equipment shall take place on any area of a natural wetland, and fuel storage shall not occur at any location where fuel can enter a water body, and</p> <p>(c) all machinery, equipment and materials used for the activity shall be removed from the natural wetland every night and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and <u>once operational, new structures are designed and, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, and</u></p> <p>(e) <u>during construction or maintenance works, fish passage shall not be restricted for a duration longer than necessary to undertake the activity and must not be restricted for a period longer than 12 hours in any 72hour period: and</u></p> <p>(f) in any part of the natural wetland inanga spawning habitat identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats), no bed disturbance, diversions of water or</p>

			<p>sediment discharge shall occur between 1 March and 31 May, and</p> <p>(g) the diversion of water shall not be for longer than the time required to undertake the activity, and any diversion of water required to undertake the activity must be for fewer than 14 consecutive days, and must occur prior to the disturbance of the bed of the natural wetland, and</p> <p>(h) the vegetation and the bed of the natural wetland shall not be disturbed to a depth or an extent greater than that required to undertake the activity.</p>
Existing structures in all wetlands - new rule		The Transport Agency seeks the inclusion of a rule which provides for existing structures as a permitted activity.	<ul style="list-style-type: none"> <li>■ Add a new rule for existing structures in all wetlands</li> </ul> <p><u>Existing, permitted or otherwise lawfully established structures in any wetland existing at the date of notification of the Proposed Natural Resources Plan, and the use of those structures, is a permitted activity.</u></p>
Structures in natural wetlands and significant natural wetlands – Rule 104	Support with amendment	The Transport Agency generally supports the rule in that it enables maintenance, repair, addition, alteration, replacement or removal of existing structures and ancillary activities, subject to conditions. The Transport Agency seeks an amendment to the condition which enables only hand held machinery to be used as this is often not possible for some infrastructure e.g. culverts. It is noted that the general conditions (5.5.2) allows for the diversion of water for up to a 14 day period and this is considered appropriate.	<ul style="list-style-type: none"> <li>■ Amend Rule 104:</li> </ul> <p>The maintenance, repair, addition, alteration, or replacement (like for like) of an existing structure, and the placement of a new structure of an area less than 10m<sup>2</sup> for the purpose of hunting and recreation (including maimal and jetties), and the removal of an existing structure in a natural wetland or significant natural wetland, including any associated:</p> <p>.....</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(f) only hand-held machinery is used in any area of the natural wetland <u>unless water has been temporarily diverted from the working area</u>, and</p>
Planting and pest plant control in natural wetlands,	Support	The Transport Agency generally supports the rule.	<ul style="list-style-type: none"> <li>■ Retain Rule 105</li> </ul>



<p>significant natural wetlands and outstanding natural wetlands – Rule 105</p>			<ul style="list-style-type: none"> <li>■ Clarify the meaning of Rule 106:</li> </ul> <p>Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity</p> <p>Activities for the purpose of restoring the indigenous biodiversity of a natural wetland, significant natural wetland or outstanding natural wetland identified in Schedule A3 (outstanding wetlands), that are not permitted by rules R104 and R105, are controlled activities provided the following condition is met:</p> <p>(a) the activities are stipulated in and carried out in accordance with an approved restoration management plan.</p> <p><i>Note: for the purposes of this rule, restoration means the maintenance, repair or removal of existing structures, the introduction of appropriate indigenous plants, the removal of pest plants and / or the re-introduction of water.</i></p>
<p>Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – Rule 106</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule but considers that without a clear distinction in terms of what constitutes 'restoration', the rule is uncertain. The expectation is that activities which maintain, repair or remove existing structures, the introduction of appropriate plants and the removal of inappropriate plants would constitute restoration.</p> <p>The Transport Agency also considers that the word 'approved' should also be deleted as it would be for that consent process to approve the contents of the restoration plan prior to works occurring. Furthermore, that Transport Agency notes there will be an ongoing requirement to comply with a restoration management plan and on that basis queries whether this might better fit within a condition framework</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 107:</li> </ul> <p>The following activities in a natural wetland or significant natural wetland except for those stipulated in and carried out in accordance with a restoration management plan under Rule R106:</p> <p>(a) the placement of new structures with a footprint of 10m<sup>2</sup> or greater for the purpose of hunting and recreation (including maimai and jetties), and all other structures,</p> <p>(b) the discharge of water or contaminants not permitted by Rule R42.</p> <p>(c) the clearance of indigenous wetland vegetation, (excluding the removal of pest plants under Rule R105),</p> <p>(d) the operation, maintenance, upgrade and development of</p>
<p>Activities in natural wetlands and significant natural wetlands - Rule R107</p>	<p>Support with amendment</p>	<p>The Transport Agency supports a catch-all discretionary activity status for regionally significant infrastructure structures and activities in natural wetlands or significant natural wetlands. The Transport Agency considers this appropriate as the NRP must give effect to the RPS which requires such infrastructure to be recognised and provided for. The Transport Agency considers an enabling framework is required in this context.</p> <p>Deletion of text which adds no value to the rule is sought to streamline the rule wording.</p>	

			<p><u>regionally significant infrastructure</u></p> <p>(e) activities not meeting the conditions of Rules R104 or R105; including any associated :</p> <p>(f) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(g) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(h) damage to a part of the foreshore or seabed that forms part of a natural wetland, and</p> <p>(i) diversion of water, and</p> <p>(j) discharge of sediment to water</p> <p>(k) <u>reclamation (including drainage or diverting of water to an extent that the area affected ceases to have the characteristics of a natural wetland).</u></p> <p>are discretionary activities.</p>
<p>Activities in natural wetlands Rule 108</p>	<p>Neutral</p>	<p>The Transport Agency opposes a non-complying activity status and supports a catch-all discretionary activity status for regionally significant infrastructure structures and activities in natural wetlands or significant natural wetlands. Appropriate relief is sought under Rule 107.</p> <p>The Transport Agency generally supports the rule which enables the maintenance, repair or replacement (like for like) of existing structures, and the removal of existing structures as a discretionary activity. The Transport Agency considers this appropriate as the PNRP must give effect to the RPS which requires such infrastructure to be recognised and provided for. The Transport Agency considers an enabling framework is required in this context. In addition, wetlands often provide a method for the management of stormwater and this is also sought for inclusion.</p>	<p>■ No specific relief sought on the basis that regionally significant infrastructure related activities are provided for as a discretionary activity under Rule 107.</p> <p>■ Amend Rule 109</p> <p>The following activities in an outstanding natural wetland identified in Schedule A3 (outstanding wetlands), except those stipulated in and carried out in accordance with a restoration-management plan under Rule R106:</p> <p>(a) the maintenance, repair or replacement (like for like) of existing structures,</p> <p>(b) the placement of new structures of an area less than 10m<sup>2</sup> for the purpose of hunting and recreation (including maimal and jetties)</p> <p>(c) <u>activities associated with the operation, maintenance, upgrade or development of regionally significant infrastructure, including reclamation and the discharge of stormwater.</u></p> <p>(d) the removal of existing structures.</p>
<p>Activities in outstanding natural wetlands – Rule 109</p>	<p>Support with amendment</p>		

Activities in outstanding natural wetlands – Rule 110	Oppose	The Transport Agency considers that a non-complying activity is not an appropriate for framework for regionally significant infrastructure as the PNRP must give effect to the RPS through recognising and providing for such infrastructure. A non-complying activity status does not do this.	(e) removal of pest plants that are not permitted by Rule R105 are discretionary activities.
Reclamation of outstanding natural wetlands – Rule 111	Support with amendment	The Transport Agency opposes the application of a prohibited activity status for reclamation of outstanding natural wetlands for essential infrastructure. While such environments would seek to be avoided, the operational requirements and functional (locational) needs of the Transport Agency's assets may dictate locations and therefore to apply such a status is inappropriate and would not recognise and provide for regionally significant infrastructure. This rule does not recognise existing infrastructure (State Highway 1 and 58) which borders the Pauatahanui tidal flats / saltmarsh outstanding natural wetland.	<ul style="list-style-type: none"> <li>■ Amend</li> </ul> <p>The following activities, in an outstanding natural wetland identified in Schedule A3 (outstanding wetlands), except for those stipulated in and carried out in accordance with a restoration-management plan under Rule R106 <u>or enabled as a discretionary activity under Rule 109</u>:</p> <ul style="list-style-type: none"> <li>(a) the discharge of water or contaminants <u>other than stormwater</u>,</li> <li>(b) take, use, damming or diverting water into, within, or from the wetland,</li> <li>(c) the placement of new structures with an area 10m2 or greater for the purpose of hunting and recreation (including mainai and jetties), and all other structures,</li> <li>(d) land disturbance including excavation and deposition,</li> <li>(e) vegetation clearance, excluding the removal of pest plants under Rule R105,</li> <li>(f) other activities that are not discretionary under Rule R109 or prohibited by Rule R111</li> </ul>
Beds of lakes and rivers general conditions (5.5.4)	Support with amendment	. In the knowledge that sub-clause (e) and (f) address the most sensitive inanga and fish passage periods as a permitted activity threshold, the Transport Agency is of the opinion that the fish passage requirement in	<ul style="list-style-type: none"> <li>■ Amend Rule 111:</li> </ul> <p>Reclamation (including drainage or diverting of water to an extent that the area affected ceases to have the characteristics of a wetland) of all or part of an outstanding natural wetland identified in Schedule A3 (outstanding wetlands) except stipulated in and carried out in accordance with a restoration management plan under Rule R106 <u>or provided for in Rule 109 (regionally significant infrastructure)</u> is a prohibited activity.</p> <ul style="list-style-type: none"> <li>■ Amend the 5.5.4 general conditions</li> </ul> <p>Beds of lakes and rivers general conditions for activities in the beds of lakes and rivers that apply as specified in Rules R112 to R125:</p>

		<p>(d) should relate to the structure once constructed – i.e. the long term scenario. The amendments are sought to be clear that fish passage is not to be required retrospectively (ie it only applies to new structures) and also seeks that fish passage be temporarily restricted for construction and maintenance periods where there is no practicable alternative. The Transport Agency accepts that there are times during the year associated with inanga and trout spawning when in-stream activities should seek not to occur ((e) and (f)).</p> <p>The Transport Agency seeks the deletion of the need to contain diversions within the bed of a river. This is not always possible, especially in narrow streams where water may be pumped over or around a working area and therefore its removal is sought. There is no effect-based justification to require the diversion to be kept within the bed of the river. Also, ii) and iv) cannot be met at the same time.</p> <p>It is critical that these conditions are workable and achievable as they need to be complied with by almost all the rules in this chapter.</p>	<p>.....</p> <p><del>Once constructed, structures are designed and, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times. This shall include avoiding any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and</del></p> <p><del>during construction or maintenance works, fish passage shall not be restricted for a duration longer than necessary to undertake the activity and must not be restricted for a period longer than 12 hours in any 72hour period; and</del></p> <p>.....</p> <p>(i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall:</p> <p>(i) only be temporary and for a period no longer than that required to complete the activity, and</p> <p><del>(ii) must be contained within the bed of the river, and</del></p> <p>(iii) must not involve a lake, and</p> <p>(iv) any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring property; and</p> <p>.....</p>
Existing structures in all rivers and lakes - new rule		The Transport Agency seeks the inclusion of a rule which provides for existing structures as a permitted activity.	<ul style="list-style-type: none"> <li>■ Add a new rule for existing structures in all rivers and lakes <u>Existing permitted or otherwise lawfully established structures in any river or lake existing at the date of notification of the Proposed Natural Resources Plan, and the use of those structures, is a permitted activity.</u></li> </ul>
Activities in beds of lakes and rivers Rule 112	Support	The Transport Agency generally supports the rule which enables the maintenance, repair, replacement, and upgrade of existing structures in on or over the bed of a lake or river as a permitted activity.	<ul style="list-style-type: none"> <li>■ Retain Rule 112</li> </ul>

<p>River crossing structures – Rule 114</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule which enables river crossings in the bed of a river as a permitted activity subject to conditions. The Transport Agency seeks certainty that the 'construction' of crossings is enabled by the rule and also seeks deletion of the word 'use' as once it is constructed the Transport Agency does not consider it appropriate to regulate the on-going use. The Transport Agency questions the inclusion of the term 'use' as whether it is intended that the rule apply retrospectively.</p>	<p>■ Amend Rule 114</p> <p>The placement <u>or construction</u> <u>or use</u> of a river crossing structure, including, but not limited to, weirs, fords and small bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over the bed of a river including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and</li> <li>(f) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than: <ul style="list-style-type: none"> <li>(i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or</li> <li>(ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and</li> </ul> </li> <li>(g) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m<sup>2</sup>, and</li> <li>(h) the activity does not occur within a site identified in Schedule C (mana whenua).</li> </ul>	<p>■ Amend Rule 115:</p> <p>The placement <u>or construction and subsequent use</u> of a culvert and <u>associated protective structures</u>, that is fixed in, or on, <u>or under</u> the bed of a river including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p>	<p>The Transport Agency questions the inclusion of the term 'use' as whether it is intended that the rule apply retrospectively. The Transport Agency considers it should not apply retrospectively.</p> <p>The word 'under' needs to be included in the rule as well as protective structures as both of these elements relate to permitted activity condition requirements (refer conditions (i) and (l))</p>
<p>Culverts Rule 115</p>	<p>Support with amendment</p>	<p>The Transport Agency questions the inclusion of the term 'use' as whether it is intended that the rule apply retrospectively. The Transport Agency considers it should not apply retrospectively.</p> <p>The word 'under' needs to be included in the rule as well as protective structures as both of these elements relate to permitted activity condition requirements (refer conditions (i) and (l))</p>	<p>■ Amend Rule 115:</p> <p>The placement <u>or construction and subsequent use</u> of a culvert and <u>associated protective structures</u>, that is fixed in, or on, <u>or under</u> the bed of a river including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) diversion of water, and</li> <li>(d) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p>	<p>The Transport Agency questions the inclusion of the term 'use' as whether it is intended that the rule apply retrospectively. The Transport Agency considers it should not apply retrospectively.</p> <p>The word 'under' needs to be included in the rule as well as protective structures as both of these elements relate to permitted activity condition requirements (refer conditions (i) and (l))</p>	<p>The Transport Agency questions the inclusion of the term 'use' as whether it is intended that the rule apply retrospectively. The Transport Agency considers it should not apply retrospectively.</p> <p>The word 'under' needs to be included in the rule as well as protective structures as both of these elements relate to permitted activity condition requirements (refer conditions (i) and (l))</p>

			<p>.....</p> <p>(i) the culvert shall be positioned so that its alignment and gradient are <u>generally</u> the same as the river, and</p>
<p>New Structures – Rule 117</p>	<p>Support with amendment</p>	<p>The Transport Agency is supportive of the rule subject to amendments to clarify that all protective structures are provided for in by the rule.</p>	<p>■ Amend Rule 117:</p> <p>The placement or use of a new structure, including but not limited to sediment retention weirs, pipes, ducts, cables, hydrological and water quality monitoring equipment, fences, <del>rip-rap, gabion baskets</del> and structures associated with vegetative bank edge protection except a structure permitted by Rules R114, R115, and R116 that is fixed in, on, under, or over the bed of any river or lake, including any associated:..</p> <p>.....</p> <p>Is a permitted activity, provided the following conditions can be met:</p> <p>.....</p> <p>(h) the structure does not occupy a bed area any greater than 10m<sup>2</sup>, except for where the structure is associated with vegetative bank edge <u>or structure</u> protection, or a pipe, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and</p>
<p>Removing or demolishing structures – Rule 118</p>	<p>Support with amendment</p>	<p>The Transport Agency considers that more enabling provisions should be afforded to the removal of structures. The Transport Agency seeks that the reference to bed disturbance is to the least amount possible. Activities in wetlands are managed and regulated by other rules (e.g. rule 104 / 106 in which restoration of wetlands is advocated, inclusive of removal of structures.</p>	<p>■ Amend Rule 118:</p> <p>The removal or demolition of a structure or a part of a structure that is fixed in, on, under, or over any river or lake bed, including any associated:</p> <p>(a) disturbance of the river or lake bed, and</p> <p>(b) deposition on the river or lake bed, and</p> <p>(c) diversion of water, and</p> <p>(d) discharge of sediment to water</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</p> <p>(f) the removal or demolition of the structure disturbs <u>the least volume and area of the bed, practicable, and less than 10m<sup>3</sup> of the bed of the river or lake,</u> and</p>

<p>Clearing flood debris and beach recontouring – Rule 119</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule which provides for the clearance of flood debris on the bed of a river (and beach recontouring). For clarity, the Transport Agency seeks the inclusion of the work 'in' to enable the removal of debris around piers in the bed of a river which may technically be deemed not to be 'on' the bed (e.g. if in flow).</p>	<p>(g) it results in the complete removal of the structure from the river or lake bed, or the complete removal of that part of the structure requiring removal from the river or lake bed, and  (h) no explosives shall be used in the demolition of the structure, and  <del>(f) the removal or deposition shall not result in the diversion of water from a natural wetland.</del></p> <p>Amend Rule 119:</p> <p>The clearing of flood debris <u>in</u> or <u>on</u> the bed of a river or lake, and beach recontouring of the bed of a river (including, but not limited to, beach ripping), including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of the river or lake bed, and</li> <li>(b) deposition on the river or lake bed, and</li> <li>(c) discharge of sediment to water associated with the clearing of flood debris</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(d) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, excluding condition (f) (trout spawning) if the activity is solely for the purpose of removing flood debris from the inlet or outlet of a culvert or stormwater discharge pipe, or to remove flood debris from against the supporting structures of a bridge, and if in the case of both of these exceptions, the removal is necessary to maintain the immediate integrity and safety of the affected structures, and</li> <li>(e) the removal of flood debris shall be for the purposes of flood or erosion control or to maintain the integrity <u>or functioning of</u> a structure, and</li> </ul> <p>.....</p>
<p>Entry or passage over bed – Rule 124</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule in that is enabled entry or passage over the bed of a river. The Transport Agency supports the provision for activities associated with existing consents and not having to comply with the general conditions under 5.5.4, but seeks that associated</p>	<p>Amend Rule 124 to be inclusive of other uses of rivers and lakes such as disturbance and deposition which cannot be avoided when driving over the bed.</p>

Structures within a site identified in Schedule C (mana whenua) – Rule 125	Support with amendment	activities also be enabled	<p>The Transport Agency generally supports the rule subject to amendments which recognise the need to recognise and provide for regionally significant infrastructure</p> <p>Amend Rule 125:</p> <p>The placement or <u>construction and subsequent use</u> of a river crossing structure, a culvert, new small dam, or other small structure that that is fixed in, on, <u>over</u>, or under the bed of a river within a site identified in Schedule C (mana whenua), including any associated: . . . . .</p> <p>is a restricted discretionary activity, provided the following conditions are met:</p> <p>(h) any small river crossing (other than a culvert) must meet the conditions of Rule R114, except condition (h), and</p> <p>(i) any culvert must meet the conditions of Rule R115, except condition (f), and</p> <p>(j) any new small dam structure, must meet the conditions of Rule R116, except condition (i), and</p> <p>(k) any other small new structure must meet the conditions of Rule R117 except condition (f).</p> <p>(l) <u>unless the structure and use is associated with the use, operation, maintenance, upgrade or development of regionally significant infrastructure in which case (h) – (k) do not apply.</u></p> <p>Matters for discretion:</p> <ol style="list-style-type: none"> <li>1. Effects on sites with significant mana whenua values.</li> <li>2. <u>The functional need and operational requirements of regionally significant infrastructure.</u></li> </ol>
Reclamation of beds or rivers and lakes – Rule 127	Oppose	The Transport Agency seeks an enabling framework for infrastructure of regional significance and the application of a non-complying activity status for the piping of a stream, outstanding rivers or Schedule C (mana whenua) sites does not establish such a framework. Noting the large number of waterbodies that would potentially be subject to this rule (e.g. for maintenance, replacement or upgrade purposes), a discretionary activity status is appropriate for regionally significant infrastructure. The	<p>Amend Rule 127:</p> <p><u>Except for the reclamation associated with infrastructure of regional significance which is regulated under Rule 129, the reclamation of the bed, or any part of the bed, of a river or lake:</u></p> <ol style="list-style-type: none"> <li>(a) associated with the piping of a stream, or</li> <li>(b) in a site identified in Schedule A1 (outstanding rivers), or</li> <li>(c) in a site identified in Schedule C (mana whenua)</li> </ol>



			PNRP must give effect to the RPS and therefore must recognise and provide for infrastructure of regional significance.	is a non-complying activity.
Reclamation of an outstanding lake and associated diversion – Rule 128	Oppose		The Transport Agency opposes the application of a prohibited activity status for reclamation of outstanding natural lakes for essential infrastructure. While such environments would seek to be avoided, the operational requirements and functional (locational) needs of the Transport Agency's assets may dictate locations and therefore to apply such a status is inappropriate and would not recognise and provide for regionally significant infrastructure.	<ul style="list-style-type: none"> <li>■ Amend Rule 128</li> </ul> <p><i>Except for the reclamation associated with infrastructure of regional significance which is regulated under rule 129.1 The reclamation of the bed, or any part of the bed, of a lake identified in Schedule A2 (outstanding lakes) and any associated diversion of water is a prohibited activity.</i></p>
All other activities in river and lake beds Rule 129	Support		The Transport Agency supports a catch-all discretionary activity status. An enabling consenting framework is critical and appropriate for infrastructure of regional significance.	<ul style="list-style-type: none"> <li>■ Retain Rule 129</li> </ul>
Division of groundwater – Rule 130	Support		The Transport Agency generally supports the rule but notes that dewatering is regulated by Rule 140. Dewatering may be deemed to also be diversion and therefore clarity on this issue is sought. Dewatering may temporarily lower water levels and it is important that this is acknowledged in this rule if diversion is also deemed to apply in a dewatering context.	<ul style="list-style-type: none"> <li>■ Retain Rule 130</li> </ul>
General rule for taking, use, damming and diverting water – Rule 135	Support		The Transport Agency considers a default discretionary activity is appropriate for the activities this rule seeks to manage and regulate. It also seeks confirmation that where construction works are required to be undertaken, it is the beds of lakes and rivers rules that would take precedence to the extent that those rules enable ancillary activities such as diversions of water.	<ul style="list-style-type: none"> <li>■ Retain Rule 135</li> </ul>
<b>Water allocation</b>				
Dewatering – Rule 140	Support		The Transport Agency supports the rule. Dewatering is a key construction requirement within the Wellington region, such as the Kapiti Coast, and its enablement as a permitted activity, subject to conditions, is appropriate to recognise and provide for regionally significant infrastructure.	<ul style="list-style-type: none"> <li>■ Retain Rule 140</li> </ul>
All other takes and	Support		The Transport Agency considers a default discretionary activity is	<ul style="list-style-type: none"> <li>■ Retain Rule 142.</li> </ul>

<p>use – Rule 142</p>		<p>appropriate for the activities this rule seeks to regulate. A discretionary activity status appropriately provides an enabling framework for regionally significant infrastructure. It is appropriate that the PNRP recognises and provides for regionally significant infrastructure.</p>	
<p>Geotechnical investigation and groundwater monitoring bores – Rule 146</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule in that it enables geotechnical bores as a permitted activity, subject to conditions. The Transport Agency also seeks that groundwater monitoring bores be enabled as a permitted activity.</p> <p>The Transport Agency notes that geotechnical bores would not be permitted in the community drinking water supply protection area but questions the relevance of those on Map 26 which identify surface waterbodies. The Transport Agency also understands that the depth of the groundwater sources is well understood and therefore considers acceptable (prescribed permitted thresholds) depths could be applied for geotechnical bores within these areas.</p>	<p>■ Amend Rule 146:</p> <p>The <del>use of land and</del> the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation <u>or groundwater monitoring</u> bore is a permitted activity, provided the following conditions are met:</p> <p>(a) the bore is not located within a community drinking water supply protection area shown on <del>Map 26</del>, Map 27a, Map 27b, or <del>Map 27c and drilled deeper than the prescribed depths in XXXX</del>, and</p> <p>(b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and</p> <p>(c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and</p> <p>(d) there is no flooding beyond the boundary of the property.</p>
<p>Drilling, construction or alteration of any bore – Rule 147</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the controlled activity rule which provide certainty for applicants.</p>	<p>■ Amend Rule 147:</p> <p>The <del>use of land and the associated</del> diversion and discharge of water or contaminants for drilling, construction or alteration of a bore (other than a geotechnical investigation <u>or groundwater monitoring</u> bore permitted in Rule R146) is a controlled activity, provided the following conditions are met:</p> <p>(a) the bore is not associated with hydrocarbon exploration or production, and</p> <p>(b) the bore is constructed and operated in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</p>

<p>Drilling, construction or alteration of any bore – Rule 148</p>	<p>Support with amendment</p>	<p>The Transport Agency supports the catch –all discretionary activity status in that it provides an enabling framework.</p>	<p>■ Retain Rule 148</p> <p>The use of land and the associated diversion and discharge of water or contaminants for drilling, construction or alteration of a bore that is not permitted by Rule R146 or controlled by Rule R147 is a discretionary activity.</p>
<p><b>Coastal management</b></p>			
<p>Coastal management general conditions 5.7.2</p>	<p>Support with amendments</p>	<p>The Transport Agency seeks amendments to:</p> <ul style="list-style-type: none"> <li>- better clarify the intent of the conditions.</li> <li>- remove conditions which are considered to be not required due to their content being embedded in the rule framework.</li> <li>- Change the focus of the fish passage condition (k) which technically would require fish passage be built into any structure (which may not be possible or necessary), as opposed to not restricting fish passage.</li> <li>- Remove (e) as technically any discharge such concrete structures (ie pre-cast) required for maintenance works could not comply with the rule.</li> </ul> <p>The Transport Agency supports the wording in clause (o) which acknowledges requirements for lighting for public safety and operational requirements</p> <p>The Transport Agency also seeks clarity whether noise from existing roads is sought to be managed within the CMA.</p>	<p>■ Amend conditions under 5.7.2:</p> <p>Coastal management general conditions for activities in the coastal marine area that apply when specified in a rule.</p> <p>(b) any disturbance of the foreshore or seabed <del>lasts for no longer than</del> is removed in 48 hours, and</p> <p>(c) there is no disturbance of the foreshore or seabed to a depth greater than 0.5m below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and</p> <p>(e) <del>There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan, and</del></p> <p>(f) <del>The discharge of sediment to water from an activity in, on, over or under the foreshore or seabed in the coastal marine area shall meet the following:</del></p> <p>(i) <del>the release of sediment associated with the activity shall not be undertaken for more than five consecutive days, and for more than 12 hours per day, and</del></p> <p>(ii) <del>it shall not, after reasonable mixing, cause any conspicuous change in the colour of the water in the receiving water or any change in horizontal visibility greater than 30% more than 24 hours after the completion of the activity, and</del></p>

- (h) No new structure shall alter the natural course of a river (that is part of the coastal marine area), including any diversion of open coastal water during flood events, and  
 . . . .
- (i) Any new structure constructed in the coastal marine area shall not restrict ~~provide for fish passage~~ (including between fresh water and coastal water) ~~at all times~~, unless a temporary restriction is required for construction activities, and  
 . . . .
- (m) Any new structure shall be designed and maintained so that it does not reduce the ability of the river (that is part of the coastal marine area) to convey flood flows, including the management of flood debris accumulated against the structure, and  
 . . . .
- (o) All exterior lighting shall be managed to avoid the spill of light or glare that is:  
 (i) a hazard to traffic safety on streets outside (i) the coastal marine area, and  
 (ii) a hazard to navigation in the coastal marine area, unless the lighting is necessary for public safety reasons or operational requirements, and  
 (p) Noise from activities located outside the Commercial Port Area shown on Map 32, Map 33 and Map 34 and the Lambton Harbour Area (Northern Zone) shown on Map 32 in the coastal marine area shall meet the following noise standards:  
 (i) ~~the activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991) outside the coastal marine area, and~~  
 (vi) any construction activities shall meet standards specified in Table 1 of NZS 6803:1999 Acoustics – Construction Noise and  
 (vii) Noise from new and altered roads shall meet the requirements of NZS6806

Existing structures – new rule		The Transport Agency seeks the inclusion of a rule which provides for existing structures and their occupation / use as a permitted activity. Such permits and consents have an expiry date and it is not appropriate for those structures to be re-consented if lawfully established and functioning safely and efficiently. The Transport Agency's structures in the coastal marine area are typically foundational infrastructure required to enable the operation of the transport infrastructure on a long term basis (e.g. bridges). Therefore, and while noting discharges are sought to be excluded from this rule, it is not appropriate for consents associated with them to expire.	<ul style="list-style-type: none"> <li>■ Add a new rule for existing structures in all wetlands <u>Existing permitted or otherwise lawfully established structures in the coastal marine area and common marine and coastal area existing at the date of notification of the Proposed Natural Resources Plan, and the use of those structures, is a permitted activity.</u></li> </ul>
Maintenance or repair of structures – Rule 149	Support with amendment	The Transport Agency generally supports the rule but seeks the deletion of clause a) which relates to more than maintenance and repairs. The Transport Agency also considers that the need to comply with the general conditions for maintenance and repair works is onerous and the reality is that a consent would be required in most circumstances due to the conditions in 5.7.2. For example, consent would be triggered if a 'contaminant' (i.e. a precast slab) was used for repair works (e), the repair and maintenance works did not provide fish passage (k). The Transport Agency seeks that permissible conditions be imposed for repair and maintenance works.	<ul style="list-style-type: none"> <li>■ Amend rule 149 The maintenance or repair of a structure in the coastal marine area, including any associated. . . . is a permitted activity, provided the following conditions are met:  (f) the maintenance and repair of the structure is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing aerial telecommunications cables where these activities will not result in increases in design voltage and the new or altered cables will not be lower in height above the foreshore or seabed); and ..... (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2 <u>apart from condition b) or e).</u></li> </ul>
Minor additions or alterations to structures – Rule 150	Support with amendment	The Transport Agency generally supports the rule but seeks that more permissible conditions be imposed for minor additions and alteration works. The reality is that a consent would be required in most circumstances due to the conditions in 5.7.2. For example, consent would be triggered if a 'contaminant' (i.e. a precast slab) was used for repair works (e) or the repair and maintenance works did not provide fish passage (k). The general conditions are sought to be amended.	<ul style="list-style-type: none"> <li>■ Amend Rule 150:  (l) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2 <u>apart from condition b) or e).</u></li> </ul>

<p>Minor additions or alterations to structures – Rule 151</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the controlled activity rule but seeks that more permissible conditions be imposed for minor additions and alteration works. The reality is that a consent would be required in most circumstances due to the conditions in 5.7.2. For example, consent would be triggered if a 'contaminant' (i.e. a precast slab) was used for repair works (e), the repair and maintenance works did not provide fish passage (k).</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 151:               <ul style="list-style-type: none"> <li>(l) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2 <u>apart from condition b) or e).</u></li> </ul> </li> </ul>
<p>Removal of structures – Rule 152</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule but seeks that more permissible conditions be imposed for removal and demolition works.</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 152:               <p>The removal or demolition of a structure or part of a structure, <u>in the coastal marine area</u> including any associated:</p> <p>....</p> <ul style="list-style-type: none"> <li>(h) the structure or part of the structure is completely removed from the coastal marine area, and</li> <li>(k) <del>the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</del></li> </ul> </li> </ul>
<p>New temporary structures outside sites of significance – Rule 154</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule but seeks that more permissible conditions be imposed for temporary and replacement structures. The condition contain references to the removal of structures (i) and where the condition is specific to temporary structure (m) it should clearly state this so as not to compromise the ability for new structures to comply with the conditions.</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 154               <ul style="list-style-type: none"> <li>(p) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2 <u>apart from conditions b) and e).</u></li> </ul> </li> <li>■ Provide clarity on conditions (i) and (m)</li> </ul>
<p>New temporary structures – Rule 155</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule in that it sets an enabling framework with a restricted discretionary activity status.</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 155 to include a new matter for discretion:               <ul style="list-style-type: none"> <li>11. <u>whether the structure is associated with the use, operation, maintenance, upgrading or development of regionally significant infrastructure</u></li> </ul> </li> </ul>
<p>New structures,</p>	<p>Support</p>	<p>The Transport Agency generally supports the rule in that it sets an</p>	<ul style="list-style-type: none"> <li>■ Retain Rule 161</li> </ul>

<p>additions or alterations outside sites of significance – Rule 161</p>		<p>enabling framework with a discretionary activity status.</p>	
<p>New structures, additions and alterations for regionally significant infrastructure inside sites of significance - new rule</p>		<p>The Transport Agency opposes a non-complying activity status for new structures, additions or alterations to a structure and the associated use of the structure inside a site of significance. The Transport Agency considers the rule should provide an enabling framework for infrastructure of regional significance via a discretionary activity status</p>	<ul style="list-style-type: none"> <li>■ Add a new rule: to provide for new structures, additions or alterations to a structure and the associated use of the structure inside a site of significance as a discretionary activity where there is a functional and operational need.</li> </ul>
<p>New structures, additions and alterations inside sites of significance – Rule 162</p>	<p>Oppose (as currently drafted)</p>		<ul style="list-style-type: none"> <li>■ Retain Rule 162, subject to providing for a new rule managing new structures, additions or alterations to a structure and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area where associated with regionally significant infrastructure.</li> </ul>
<p>Replacement of structures or parts of structures – Rule 163</p>	<p>Support with amendment</p>	<p>The Transport Agency generally supports the rule but seeks that more permissible conditions be imposed for replacement structures to reflect that their locations have already been modified through the presence of the existing structure.</p>	<ul style="list-style-type: none"> <li>■ Amend Rule 163: The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated: ..... is a permitted activity, provided the following conditions are met: (f) <del>the replacement structure has a functional need or operational requirement to be located in the coastal marine area, and</del> (f) <del>the replacement structure is not inside a site of habitat identified in Schedule C (mana whenua), Schedule E4 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule F4 (coastal sites),</del></li> </ul>

			<p>Schedule F5 (coastal habitats) or Schedule J (geological features) excluding those structures for scientific, research or education purposes that will enhance the understanding and long-term protection of the coastal marine area, and</p> <p>(m) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, <u>apart from conditions b) and e).</u></p>
Replacement of structures or parts of structures – Rule 164	Support with amendment	The Transport Agency generally supports the rule but seeks that more permissible conditions be imposed for replacement structures to reflect that their locations have already been modified through the presence of the existing structure.	<p>Amend Rule 164:</p> <p>The replacement of a structure and the associated use of the structure in the coastal marine area, including any associated:</p> <p>.....</p> <p>that is not permitted by Rule R156 or Rule R163 or a controlled activity by Rule R157, is a restricted discretionary activity provided the following conditions are met:</p> <p>(f) . . . the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids).</p> <p>Matters for discretion</p> <p>8. <u>whether the structure is associated with the use, operation, maintenance, upgrading or development of regionally significant infrastructure</u></p>
Additions to existing seawalls – Rule 165	Support with amendment	The Transport Agency generally supports the rule subject to more lenient conditions being imposed to reflect that the seawalls are existing structures. Also, the controlled activity standards should not require effects based assessments – rather they should provide certainty as to whether the standards are complied with or not.	<p>Amend Rule 165:</p> <p>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, <u>apart from conditions b) and e).</u></p>
Seawalls outside sites of significance – Rule 166	Support	The Transport Agency generally supports the rule in that it sets an enabling framework with a discretionary activity status.	<p>Retain Rule 166, subject to including a reference to reclamation of the foreshore or seabed where this may be required to construct a new seawall or add or alter an existing seawall.</p>



Seawalls inside sites of significance – Rule 167	Oppose	The Transport Agency considers the rule should provide an enabling framework for infrastructure of regional significance via a discretionary activity status where there is a functional and operational need for that infrastructure to be located in that location.	<ul style="list-style-type: none"> <li>■ Add new rule or amend Rule 166 to provide for new seawalls, additions, alterations or replacement and the associated use and other activities to enable construction (such as deposition disturbance etc) inside a site of significance as a discretionary activity where the seawall and use is associated with regionally significant infrastructure.</li> </ul>
Occupation by a structure owned by a network utility operator – Rule 182	Support with amendment	The Transport Agency is generally supportive of the intent of the rule.	<ul style="list-style-type: none"> <li>■ Amend the rule to include regionally significant infrastructure:</li> </ul> <p>Rule R182: Occupation of space by <u>regionally significant infrastructure</u> and a structure owned by a network utility operator – permitted activity</p> <p>The occupation of space in the common marine and coastal area by a structure existing before the date of public notification of the Proposed Natural Resources Plan (31.07.2015) <u>which is regionally significant infrastructure or owned by a network utility operator</u> is a permitted activity.</p>
Renewal of existing resource consents for occupation of space by structures – Rule 183	Support with amendment	The Transport Agency generally supports the intent of the rule but questions the matters of control to the extent that public access may seek to be provided (where this may not be possible or practicable) and effects on public open space and visual amenity. The prescribed matters relate more to subjective assessments as opposed to conditions which are clearly achievable and fit for purpose for a controlled activity rule.	<ul style="list-style-type: none"> <li>■ Amend Rule 183:</li> </ul> <p>The first renewal of an existing resource consent for the occupation of space by a structure in the common marine and coastal area, after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) is a controlled activity.</p> <p>Matters of control</p> <ol style="list-style-type: none"> <li>1. <u>if enabled by the existing structure, public access is not restricted other than temporarily for health and safety reasons</u></li> <li>4. <del>Effects on public access</del></li> <li>2. <del>Effects on public open space and visual amenity</del></li> </ol>
Occupation of space – Rule 184	Support	The Transport Agency generally supports the rule in that it sets an enabling framework with discretionary activity status.	<ul style="list-style-type: none"> <li>■ Retain Rule 184</li> </ul>

<p>Clearance of stormwater pipes – Rule 189</p>	<p>Support with amendment</p>	<p>The Transport Agency does not oppose the rule itself, but rather the principle of why a local authority is afforded more leniencies in the rule framework. Who the owner or operator is in relation to stormwater assets is irrelevant in the context of effects, which is ultimately what the PNRP should be managing. Local authority networks should be regulated by the same rule framework as the Transport Agency's.</p>	<p>■ Amend Rule 189:</p> <p>The disturbance of the foreshore or seabed from the clearance of a stormwater pipe in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) deposition in, on or under the foreshore or seabed, and</li> <li>(c) discharge of contaminants</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(d) the disturbance is undertaken by or for a local authority or a road controlling authority or is required for port maintenance, and</li> <li>(e) the extent of the foreshore or seabed disturbance is limited to that required to create a free-draining path from the stormwater outlet to the sea, and</li> <li>(f) the disturbance shall not prevent public access to or along the foreshore, and</li> <li>(g) all material excavated is retained within the active beach system except for visibly contaminated material. Any visibly contaminated material shall be removed from the beach system and disposed of appropriately, and</li> <li>(h) excavated material is not mounded, banded and/or deposited in a manner that creates ponding or the diversion of water on the foreshore or seabed, and</li> <li>(i) <del>the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</del></li> </ul>
<p>Disturbance or damage of foreshore or seabed outside a significant site – Rule 194</p>	<p>Support</p>	<p>The Transport Agency generally supports the rule in that it sets an enabling framework with discretionary activity status.</p>	<p>■ Retain Rule 194</p>

Disturbance or damage of foreshore or seabed inside a significant site – new rule		The Transport Agency opposes a non-complying activity status for disturbance or damage of the foreshore or seabed inside a site of significance. The Transport Agency considers the rule should provide an enabling framework for infrastructure of regional significance via a discretionary activity status where there is a functional and operational need for that infrastructure to be located in that location.	<ul style="list-style-type: none"> <li>■ Add a new rule which specifically provides for disturbance or damage of the foreshore or seabed inside a site of significance as a discretionary activity where there is a functional and operational need.</li> </ul>
Disturbance or damage of foreshore or seabed inside a significant site – Rule 195	Oppose (as currently drafted)		<ul style="list-style-type: none"> <li>■ Retain Rule 195, subject to providing for disturbance or damage of the foreshore or seabed inside a site of significance where associated with regionally significant infrastructure and where there is a functional or operational requirement.</li> </ul>
Motor vehicles for certain purposes – Rule 197	Support with amendment	The Transport Agency generally supports the rule in that recognises and provides for regionally significant infrastructure and the ability to maintain, upgrade and operate that infrastructure. The Transport Agency also seeks amendments to the rule.	<ul style="list-style-type: none"> <li>■ Amend Rule 197: The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes: ..... (d) the <u>operation</u>, maintenance, <u>repair</u>, upgrade <u>and development</u> operation of regionally significant infrastructure is a permitted activity, provided the following conditions are met: (e) the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and (f) <del>the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</del></li> </ul>
Destruction, damage or disturbance outside sites of Significance – Rule 204	Support	The Transport Agency generally supports the rule in that it sets an enabling framework with discretionary activity status	<ul style="list-style-type: none"> <li>■ Retain Rule 204</li> </ul>
Destruction, damage or		The Transport Agency opposes a non-complying activity status for destruction, damage or disturbance inside a site of significance. The	<ul style="list-style-type: none"> <li>■ Add a new rule or amend rule 204 to specifically provide for</li> </ul>

disturbance inside sites of Significance – new rule		Transport Agency considers the rule should provide an enabling framework for infrastructure of regional significance via a discretionary activity status where there is a functional and operational need for that infrastructure to be located in that location.	destruction, damage or disturbance inside a site of significance as a discretionary activity where associated with regionally significant infrastructure
Destruction, damage or disturbance inside sites of Significance – Rule 205	Oppose (as currently drafted)		<ul style="list-style-type: none"> <li>■ Retain Rule 205, subject to providing for destruction, damage or disturbance inside a site of significance where associated with regionally significant infrastructure</li> </ul>
Deposition outside sites of significance – Rule 208	Support	The Transport Agency generally supports the rule in that it sets an enabling framework with discretionary activity status	<ul style="list-style-type: none"> <li>■ Retain Rule 208</li> </ul>
Deposition inside sites of significance – new rule	Oppose	The Transport Agency opposes a non-complying activity status for deposition inside a site of significance. The Transport Agency considers the rule should provide an enabling framework for infrastructure of regional significance via a discretionary activity status where there is a functional and operational need for that infrastructure to be located in that location.	<ul style="list-style-type: none"> <li>■ Add a new rule which specifically provides for deposition inside a site of significance as a discretionary activity where associated with regionally significant infrastructure.</li> </ul>
Deposition inside sites of significance – Rule 209			<ul style="list-style-type: none"> <li>■ Retain Rule 209, subject to providing for deposition inside a site of significance where associated with regionally significant infrastructure</li> </ul>
Reclamation and drainage – Rule 214	Support subject to amendment	The Transport Agency considers the rules for regionally significant infrastructure should provide an enabling framework for infrastructure of regional significance via a discretionary activity status. The PNRP must give effect to the RPS which requires regionally significant infrastructure to be recognised and provided for. This is no achieved through a non-complying activity status.	<ul style="list-style-type: none"> <li>■ Amend Rule 214: Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (geostat sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated: <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area, and</li> <li>(b) destruction of the foreshore or seabed, and</li> <li>(c) disturbance of the foreshore or seabed, and</li> <li>(d) deposition in, on or under the foreshore or seabed, and</li> <li>(e) discharge of contaminants, and</li> <li>(f) diversion of open coastal water</li> </ul> </li> </ul>

			is a discretionary activity.
215	Oppose (as currently drafted)	The Transport Agency considers the rules for regionally significant infrastructure should provide an enabling framework for infrastructure, irrespective of their location (as restricted by 214).	<ul style="list-style-type: none"> <li>■ No relief sought, subject to the relief sought under Rule 214 applying to regionally significant infrastructure by default.</li> </ul>
Destruction – Rule 216	Neutral	The Transport Agency seeks clarity on what destruction of the foreshore or seabed entails.	<ul style="list-style-type: none"> <li>■ Provide clarity on what destruction means in the context of the Plan. For example, is it a term to be applied over and above other activities such as disturbance, deposition and reclamation? It could be interpreted that 'destruction' of the bed also applies in this context.</li> </ul>

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Proposed Natural Resources Plan:

Submitter:

**New Zealand Diving and Salvage  
Limited**

Submitter Number:

**S147**





**Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region**  
 This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
 Clause 6 of Schedule 1, Resource Management Act 1991



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

**Your details**

Full name: Sol Fergus  
 Organisation name: (If applicable) New Zealand Diving and Salvage Limited  
 Address for Service: 134 Gracefield Rd, Seaview, Lower Hutt 5010  
 PO Box 30-392 Lower Hutt 5040

Telephone no's: Work: 04 568 2505 Home: Cell: 027 461 0500

Contact person: Sol Fergus

Address and telephone no (if different from above):

**Electronic communication**

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here  if you do not agree to receive communication via email.

Email address: sol@nzds.co.nz / nzds@nzds.co.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to Your Submission]

I/we could gain an advantage in trade competition through this submission.  
 If you could gain an advantage please complete one of the following:

I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.7 Biofouling cleaning Rule 65: in-water cleaning - permitted activity (C)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Provision of clarity and alignment with Anti-fouling and in-water cleaning guidelines.
	I seek the following decision from WRC	The rule to be amended to permit in-water cleaning of any vessels regardless of origin with a micro-fouling level without need for containment.

	(give precise details): →	Guidelines recommendations for decision making on in-water cleaning pg 12. "Microfouling, regardless of origin, may be removed without the need for full containment of biofouling waste, provided the cleaning method is consistent with the coating manufacturer's recommendations. Where microfouling is removed using a gentle, non-abrasive cleaning technique...."
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**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.7 Biofouling cleaning Rule 65: in-water cleaning - permitted activity (C)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Clarity of proposed rule
	I seek the following decision from WRC (give precise details): →	<p>That the proposed rule as written permits the in-water cleaning of regional and domestic vessels (as classed in the Anti-fouling and in-water cleaning guidelines pg 11) regardless of micro and macro-fouling state and without containment.</p> <p>This would be inclusive of the Cook Strait passenger ferries.</p> <p>If this is not the intention of the rule then amendment to clarify what activities are permitted for each of the identified vessel classes as per that described in the guidelines on pg 12.</p>

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.7 Biofouling cleaning Rule 65: in-water cleaning - permitted activity (f)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Increase ownership and avoid potential gap of reporting. Make allowance for already established non-indigenous species within the Wellington Region.
	I seek the following decision from WRC (give precise details): →	<p>Amendment of the rule to make allowance for non-reporting of existing / established non-idigenous species within the Wellington Region and include reporting ownership of species discovery on the in-water cleaning operator.</p> <p>"If any suspected species harmful or unusual aquatic species are found that are either new to New Zealand or the Wellington Region, the vessel owner and / or the in-water cleaning operator shall take the following steps*":</p>

**The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:**

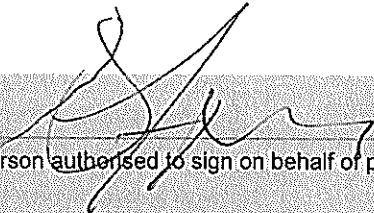
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.7 Biofouling cleaning Rule 65: in-water cleaning - permitted activity (D)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Confirmation that the permitted activity does not require additional consent processes specifically pertaining to the return of filtered / processed water resulting from containment activities
	I seek the following decision from WRC (give precise details): →	It is of understanding that an in-water cleaning activity that involves capture and filtering processes would produce a requirement to return water to the ocean. Can there be clarity if this would require an additional consent to enable return of the filtered water. If there is a requirement we seek an amendment to incorporate this.

If you have more submissions you wish to make, please find more boxes at the bottom of this document

**Attendance and wish to be heard at hearing(s)**

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s).]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: Sol Fergus



Date: 25 September 2015

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

### Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): 5.2.7 Biofouling cleaning Rule 65: in-water cleaning - permitted activity (D)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Clarity regarding the rule as is written and the context which it is provided for compared to that in the guidelines.
	I seek the following decision from WRC (give precise details): →	That the requirement for capture is intended and only applicable to vessels of doemstic / international origin with macrofouling as described in the guidelines pg 12.  Macrofouling of Domestic vessels may not require capture where these vessels are determined to have a fouling type that is identified as cosmopolitan and/or equivilant to that of a Regional origin.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following	

	decision from WRC (give precise details): →	
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Proposed Natural Resources Plan:

Submitter:

**Rebecca Logan**

Submitter Number:

**S148**





To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Rebecca Logan  
 Organisation name:  
 (If applicable) \_\_\_\_\_  
 Address for Service: \_\_\_\_\_  
16 Chaffey Crescent, Titahi Bay, Porirua 5022

Telephone no's: Work: \_\_\_\_\_ Home: 04 236 6343 Cell: 021 327 274

Contact person: \_\_\_\_\_

Address and telephone no (if different from above): \_\_\_\_\_

### Electronic communication

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Email address: beckslogan@gmail.com

### Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.  
 If you **could** gain an advantage please complete one of the following:

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I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

### Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Rule R199	My submission on this provision is: →	<input checked="" type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	I fully support the prohibition of motor vehicles on Titahi Bay beach (for safety reasons, as well as to protect the natural environment and petrified forest).
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document

### Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
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[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

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	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input type="checkbox"/> I wish to have the specific provision <b>amended</b>
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	



Proposed Natural Resources Plan:

Submitter:

**Best Farm Limited, Hunters Hill  
Limited and Stebbings Farmlands  
Limited**

Submitter Number:

**S149**



To: Freepost 3156  
 Wellington Regional Council  
 PO Box 11646  
 Wellington 6142

Or email: regionalplan@gv7.govt.nz

**Your details**

Full name: \_\_\_\_\_  
 Organisation name: \_\_\_\_\_  
 (If applicable) Best Farm Ltd, Hunters Hill Ltd and Stebbings Farmlands Ltd  
 Address for Service: 107B Westchester Drive, Churton Park, Wellington 6037

Telephone no's: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: 021 544 384

Contact person: Rod Halliday

Address and telephone no (if different from above): \_\_\_\_\_

**Electronic communication**

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Email address: rod.halliday@hmlimited.co.nz

**Trade competition**

I/we could not gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we could gain an advantage in trade competition through this submission.  
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I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

**Your submission**

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 4 - Policy 73 & 79 (Minimising Adverse effects of Stormwater Discharges)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	We oppose the requirement to retain pre-development hydrographs and overland flow paths in new subdivision and development. This is unrealistic and should not be required where land has been zoned for residential use by local authorities and/or is identified as a special housing area. Such a requirement adds significantly to the cost of supply of land for housing that the government is actively trying to reduce. The Policies and the use of Water Sensitive Urban Designs (WSUD) options do not recognise the steep topography in Wellington and the challenges this presents for the development of land. Furthermore, there is no consideration of TA's willingness to take ownership of such structures.

	I seek the following decision from WRC (give precise details): →	Delete this statement (last 2 lines) in the policy. Alternatively, the policy should recognise that this is not achievable on many sites in Wellington.
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The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 4 - Policy 89 (Discharges from Contaminated Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The discharge of stormwater from former landfills is typically managed through a landfill closure plan that takes into account leachate and other effects arising from stormwater runoff. The policy should refer to this.
	I seek the following decision from WRC (give precise details): →	Include a reference to landfill closure plans

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 4 - Policy 102 (Reclamation or Drainage of the beds of Lakes or Rivers)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The recognition of Special Housing Areas (SHA's) under clause (b) policy is supported as is clause (c). However clause (c) should be amended to include strategies and frameworks under the RMA 1991. An additional clause should also be added to refer to the Urban Development Area of the City
	I seek the following decision from WRC (give precise details): →	Amend clause (c) as follows '....approved by a local authority under the RMA 1991 or the Local Government Act 2002'.  Add another clause to include 'land within the UDA of the City and land covered by a structure plan in a District Plan where the areas of highest ecological significance have been identified; and where these significant areas are not affected by reclamation.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Policy 74 & 75 (Local Authority Network Consents)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	These new policies represents a major policy shift in terms of how stormwater, in particular point source discharges, are approved and managed by TA's. It places a large burden on them to develop and implement stormwater management plans for their existing and new networks. On reading the policies it appears this will need to focus on land based treatment solutions to improve water quality before it discharges into open watercourses. We are interested in how these solutions will be developed as well as how the 'global consents' will be processed, approved and monitored. Our concern is that too stringent requirements will ultimately be passed onto private individuals and developers resulting in resource consent conditions that may or may not be achievable or viable. The risk is therefore that all housing and residential development in the City comes to a halt including those in Special Housing Areas where growth is being supported by TA's and central government. In addition, existing developments that have received resource consent and or have been planned and designed to connect to an existing public network may be jeopardised by this policy, particularly if requirements imposed by GWRC on TA global consents are simply passed onto private developers and/or individuals.
	I seek the following decision from WRC (give precise details): →	The policy needs to recognise the above flow on effects and recognise that there are numerous existing networks have already been designed and built to take future development. The policy also needs to recognise topographical constraints that exist in development areas in Wellington and the willingness of TA's to accept WSUD solutions in their road or recreation reserves.



The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 -Rule 112	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The wording of Rule 112(g) is not clear. Clarification on the meaning of 'cable, pipe and duct' is required for the purpose of correct rule interpretation. There is no definition of it. Consultants are regularly asked to seek consent for upgrading structures such as pipes and culverts however clause (g) then excludes them. I.e. It excludes the very structures the rule is supposed to apply to.
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 -Rule 115	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Culverts are often built under roads that are typically 20m in legal width. The current rule does not allow for wingwalls etc that are often part of culverts
	I seek the following decision from WRC (give precise details): →	Amend (h) to increase maximum culvert length to 30m

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 Rule 122	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Rule 122 is unclear. The rule relates to removing vegetation from the 'bed' of any river or lake. However the 'bed' is not defined in the definitions. The definitions do refer to Active Bed however the rule does not use this term.
	I seek the following decision from WRC (give precise details): →	Clarify rule

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 Rule 127	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input checked="" type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Policy 102 recognises the need for some reclamation (particularly for SHA's etc) However, Rule 127 then classifies reclamation as a non-complying activity. This is unnecessarily restrictive.
	I seek the following decision from WRC (give precise details): →	Rule 127 should be reclassified as a discretionary activity as it is under the operative freshwater plan.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Entire Plan</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input checked="" type="checkbox"/> I oppose the provision  <input type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>The PNRP is focussed on the regions natural resources but fails to adequately recognise the regions urban environment in this context. The document has been written under the RMA 1991 and prioritises the management of the Regions natural resources but in our view fails to adequately balance the social and economic outcomes embodied within the meaning of sustainable management defined in Part 2. It does not adequately recognise that the Region provides a place for us to live and grow and for that growth to continue there has to be recognition that natural and physical resources will be used. The PNRP will sit above all TA planning documents in the plan hierachy and there is a requirement for all District Plans to not be inconsistent with higher order documents. If the PNRP is approved without adequate recognition of the urban environment there will be disjoint between the GWRC and TA's who are, through their planning documents, providing for Wellingtons growth.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Incorporaiton of a new policy and rule structure to recognise and provide for activities in Wellingtons Urban environments.</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

<p>The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Schedule G &amp; definiton of Biodivesity offset.</p>	<p>My submission on this provision is: →</p>	<p><input type="checkbox"/> I support the provision  <input type="checkbox"/> I oppose the provision  <input checked="" type="checkbox"/> I wish to have the specific provision amended</p>
	<p>Reasons for my submission: →</p>	<p>The RMA does not require the complete offset of environmental effects moreover the RMA requires effects of activities to be avoided, remedied or mitigated to the extent that they are no more than minor. Therefore there is no legislative mandate for a 'no net ecological loss' policy advocated in the PNRP. In addition, the assessment on effects contained in resource consent applications is an overall assessment considering all effects arising from an activity e.g. noise, traffic, amenity. Section 104(1)(a) then requires an overall assessment of effects arising from a proposal with an 'on balance' approach being taken when concluding on a proposals effects.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>The Schedule and associated policies should be amended to state that biodiversity offsetting is encourgaged where possible but achieving 'no net loss' is not mandatory. Alternatively remove all reference to 'no net loss'</p>

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 42 & 48 (Minor Discharges and Stormwater from an Individual Property)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule refers to stormwater emanating from properties being a permitted activity but does not include discharge from contaminated land. The definitions describe contaminated land as having contamination confirmed in the SLUR for the Wellington Region. This system tags entire properties (titles) when often only a small area of the site is potentially contaminated. This rule is therefore unfair and not appropriate where the area is contamination is known. The rules are also unclear as to how they relate to subdivisions, where new infrastructure is built.
	I seek the following decision from WRC (give precise details): →	Amend (b) to clarify that this relates only to area(s) of the site that are affected by contamination (confirmed).  Amend rule to clarify how it applies to subdivisions.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 50 & 51 (Stormwater from a local Authority Network)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This new rule places considerable burden on TA's and Wellington Water to improve water quality but it is not clear whether these rules apply to new stormwater infrastructure built and vested with WCC as part of greenfield subdivisions. Will the developer or TA be required to obtain a consent or will new infrastructure be covered by the global consent issued to WW.
	I seek the following decision from WRC (give precise details): →	Amend or re-write rules to be clear how they relate to new infrastructure to be vested with TA's

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 55 (Discharge from Contaminated Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule relates to the discharge of contaminants from contaminated sites. However there is no definition of a 'contaminant' and therefore it is unclear what the rule is trying to control..
	I seek the following decision from WRC (give precise details): →	Clarify the rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 97 (Access to the Bed of Surface Water Bodies by Livestock)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	Clause (a) is ambiguous. The use of the word 'significant pugging' is subjective and dependant on individual interpretation. The rule is therefore unclear. Realistically, most stock average 250-300kg and will easily pug a wet stream bank. Consideration therefore needs to be given to rule clarity and practical implementation/enforcement
	I seek the following decision from WRC (give precise details): →	Clarify what constitutes 'significant'. Clause (a) and (d)(ii) Alternatively re-write rule.

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

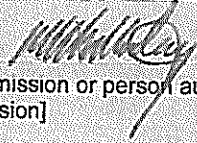
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number): Chapter 5 - Rule 100 (Vegetation Clearance on Erosion Prone Land)	My submission on this provision is: →	<input type="checkbox"/> I support the provision <input type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	This rule is overly onerous and the 2ha maximum area should be increased. In addition, the definition of erosion prone land is only 20 degrees that will capture a vast amount of land.
	I seek the following decision from WRC (give precise details): →	Increase the area of allowable clearance to 5ha and amend the definition of erosion prone land to land greater than 45 degrees or similar

If you have more submissions you wish to make, please find more boxes at the bottom of this document

Attendance and wish to be heard at hearing(s)

- I/We do wish to be heard in support of my/our submission  
[Note: This means that you wish to speak in support of your submission at the hearing(s)]
- I/We do not wish to be heard in support of my/our submission  
[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:



Date:

30/9/15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

Publication of details

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



Proposed Natural Resources Plan:

Submitter:

**Fiona Heron**

Submitter Number:

**S150**





# 1527552



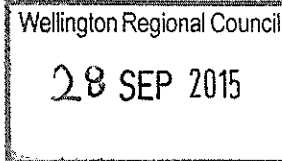
greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region  
This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to  
Clause 6 of Schedule 1, Resource Management Act 1991

5150

To: Freepost 3156  
Wellington Regional Council  
PO Box 11646  
Wellington 6142

Or email: regionalplan@gw.govt.nz



Your details

Full name: Fiona Jean Heron

Organisation name: CRU  
(If applicable)

Address for Service: A member of CRU as weekends  
at 7B Willow Grove, Raumati Beach

Telephone no's: Work: Home: Cell:

Contact person:

Address and telephone no (if different from above):

17A/9 Chevys Lane, Wgtn 6011 04 4731144

Electronic communication

Wellington Regional Council has a preference for providing information about the Proposed Natural Resources Plan via email. We will send you updates on the process, information and provide you with details of any meetings and the hearing. Please tick here if you do not agree to receive communication via email.

Email address: fionajheron@gmail.com

Trade competition

I/we **could not** gain an advantage in trade competition through this submission. [Go straight to **Your Submission**]

I/we **could** gain an advantage in trade competition through this submission.

If you **could** gain an advantage please complete one of the following:

I/we **are** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we **are not** directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.



Your submission

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):  <p style="text-align: center;">All</p>	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision amended
	Reasons for my submission: →	Support CRU
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	I <b>support</b> the provision I <b>oppose</b> the provision I wish to have the specific provision amended
	Reasons for my submission: →	
	I seek the following decision from WRC (give precise details): →	

If you have more submissions you wish to make, please find more boxes at the bottom of this document



**Attendance and wish to be heard at hearing(s)**

I/We do wish to be heard in support of my/our submission

[Note: This means that you wish to speak in support of your submission at the hearing(s).]

I/We do not wish to be heard in support of my/our submission

[Note: This means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature:

e:

*Dianna Herron*

Date: 24.9.15

[Person making submission or person authorised to sign on behalf of person making submission. NB. Not required if making an electronic submission]

**Publication of details**

Wellington Regional Council is legally required to notify a summary of submissions, including your name and address for service as provided on this submission form. Your name and address are included so that a person making a further submission is able to serve you with a copy of it.



## **Attachment**

### **The specific provisions of the Proposed Natural Resources Plan (PNRP) that this submission relates to**

The whole PNRP.

### **Submission on the provisions**

Oppose and seek amendment.

### **Reasons for the submission**

The whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, does not appropriately address and enable coastal hazard mitigation (including protection) measures including, in particular, for areas of significant existing development.

This applies both in the coastal marine area and in other areas, including beds of rivers and streams.

Appropriate coastal hazard mitigation (including protection) activities should be provided for as permitted or controlled activities.

Coastal hazard mitigation (including protection) activities should, at worst, be discretionary activities and, where resource consent is required, there should be provisions in the objectives and policies that would support consent being obtained, not provisions that would hinder consent being obtained.

The PNRP should clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports should be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions. This is important to avoid the coastal hazard risk assessment and risk management problems that have occurred in Kapiti and that are occurring elsewhere in New Zealand.

The PNRP is not in accordance with the Resource Management Act 1991, including s 32, and sound resource management practice. The PNRP fails to give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Adequate and appropriate s 32 RMA evaluations and reports have not been undertaken or regarded.





The reasons in the submission of Coastal Ratepayers United Inc. are supported and adopted.

**Decision sought:**

Revise the whole PNRP, including the objectives, policies, rules, methods, schedules, maps and definitions, to appropriately address and enable coastal hazard mitigation (including protection) activities in the coastal marine area and other areas (including beds of rivers and streams), including especially for areas of significant existing development.

When making the revisions, pay particular attention to enabling coastal hazard mitigation (including protection) activities in areas of significant existing development.

Include objectives and policies that recognise the importance and benefits of coastal hazard mitigation (including protection) activities, especially in areas of significant existing development.

Include objectives and policies that, if a resource consent is required, support that consent being obtained, not provisions that would hinder consent being obtained.

Provide for appropriate coastal hazard mitigation (including protection) activities to be permitted or controlled activities.

Provide for coastal hazard mitigation (including protection) activities to be, at worst, discretionary activities and ensure that none of them is (or could become due to other rules) a non-complying or prohibited activity.

Revise the PNRP to clarify that, in contrast to risk management, hazard identification/risk assessment is an objective process and that any scientific or expert reports are to be scientific and objective (not policy-based or precautionary) and report not only likely estimates but also their uncertainties, to enable submitters to participate in an informed way and to enable decision-makers to make informed decisions.

Ensure that the provisions of the PNRP comply with the Resource Management Act 1991, including that they give effect to the New Zealand Coastal Policy Statement 2010 and the Regional Policy Statement for the Wellington region.

Undertake appropriate s 32 evaluations and prepare revised s 32 reports, having proper regard to s 32 matters, including in relation to the implications of the PNRP for coastal hazard mitigation (including protection) activities. Have regard to those revised reports.

The decisions sought in the submission of Coastal Ratepayers United Inc. are supported and adopted in this submission.

