

PROPOSED REGIONAL POLICY STATEMENT FOR THE WELLINGTON REGION

Subject	Objectives	Policies
<p>Fresh Water</p>	<p>Objective 13</p> <p>The region’s rivers, lakes and wetlands support healthy functioning ecosystems</p>	<p>Policy 16: protecting aquatic ecological function of water bodies –regional plans</p> <p>Policy 17: protecting significant values of rivers and lakes –regional plans</p> <p>Policy 42: protecting aquatic ecological function of water bodies –consideration</p> <p>Policy 64: supporting environmental enhancement initiatives – non-regulatory.</p>
	<p>Objective 8</p> <p>Public access to and along the coastal marine area, lakes and rivers is enhanced.</p>	<p>Policy 52: public access to and along the coastal marine area, lakes and rivers -consideration</p>
<p>Indigenous Ecosystems</p>	<p>Objective 16</p> <p>Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.</p>	<p>Policy 22: identifying indigenous ecosystems and habitats with significant <u>indigenous</u> biodiversity values –district and regional plans</p> <p>Policy 23: protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p>Policy 46: managing effects on indigenous ecosystems</p>

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		and habitats with significant indigenous biodiversity values –consideration Policy 64: supporting environmental enhancement initiatives –non-regulatory
Natural Hazards	Objective 18 The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.	Policy 28: avoiding subdivision and <u>inappropriate</u> development in areas at high risk from natural hazards – district and regional plans Policy 50: minimising the risks and consequences of natural hazards - consideration
	Objective 19 Hazard mitigation measures, structural works and other activities do not increase the risk and consequences of natural hazard events.	Policy 51: minimising adverse effects of hazard mitigation measures -consideration
Tangata Whenua	Objective 22 The region’s iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region’s environment for the benefit and well being of the regional community, both now and in the future.	Policy 66 Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory.
	Objective 23 The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.	Policy 47: Principles of the Treaty of Waitangi - consideration

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	<p>Objective 24</p> <p>The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.</p>	<p>Policy 48: avoiding adverse effects on matters of significance to tangata whenua - consideration</p>
	<p>Objective 25</p> <p>Mauri is sustained, particularly in relation to coastal and fresh water.</p>	<p>Policy 48: avoiding adverse effects on matters of significance to tangata whenua - consideration</p>
	<p>Objective 26</p> <p>Mahinga kai and natural resources used for customary purposes are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.</p>	<p>Policy 48: avoiding adverse effects on matters of significance to tangata whenua - consideration</p>
	<p>Objective 27</p> <p>Adverse effects on the cultural relationship of Maori with their ancestral lands, water, sites, wahi tapu and other taonga are avoided.</p>	<p>Policy 48: avoiding adverse effects on matters of significance to tangata whenua - consideration</p>

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Subject	Objectives	Policies
<p>The relationship of tangata whenua with fresh water</p>	<p>4.1.1 The relationship of tangata whenua and their culture and traditions with fresh water, and with ancestral sites, waahi tapu and other taonga within the beds of rivers, and lakes, is recognised and provided for.</p> <p>4.1.2 The mauri of water bodies and river and lake beds is protected.</p> <p>4.1.3 The principles of the Treaty of Waitangi are taken into account in the management of the Region's water bodies and river and lake beds.</p>	<p>4.2.1 To manage sites of special value to the tangata whenua in water bodies and river and lake beds so that the cultural values of those sites are not adversely affected.</p> <p>4.2.2 To encourage applicants to consult directly with affected tangata whenua when making an application for a resource consent which is for an activity within, upstream, or immediately downstream of any identified site of special value to the tangata whenua...</p> <p>4.2.3 To not allow the use or development of water bodies and river and lake beds that would restrict the access of tangata whenua to any identified site of special value in a publicly owned river or lake bed, unless that access can be specifically provided for, or the loss can be adequately remedied or mitigated.</p> <p>4.2.4 To avoid, remedy, or mitigate the adverse effects of the use and development of water bodies and river and lake beds on the habitats of species traditionally harvested by the tangata whenua.</p> <p>4.2.5 To have regard to the values and customary knowledge of the tangata whenua, where these have been identified by the tangata whenua, when assessing resource consent applications for the use and development of water bodies and river and lake beds.</p>

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		<p>4.2.6 To not restrict tangata whenua initiatives for the use and development of freshwater resources subject to the provisions of this Plan and the Act.</p> <p>4.2.7 To encourage and support, where appropriate, tangata whenua participation in monitoring the effects of activities that may potentially adversely affect sites or values of importance to the tangata whenua.</p> <p>4.2.8 To have regard to matters raised in an iwi or hapu management plan authorised by the tangata whenua of the Region when assessing resource consent applications.</p>
<p>Natural values</p>	<p>4.1.4 The natural character of wetlands, and lakes and rivers and their margins, is preserved and protected from inappropriate subdivision, use and development.</p> <p>4.1.5 The life-supporting capacity of water and aquatic ecosystems is safeguarded from the adverse effects of any subdivision, use and development.</p> <p>4.1.6 Significant indigenous aquatic vegetation and significant habitats of fresh water fauna in water bodies are protected.</p>	<p>4.2.9 To have regard to the following characteristics of wetlands, and lakes and rivers and their margins, when considering the protection of their natural character from the adverse effects of subdivision, use and development:</p> <ul style="list-style-type: none"> • Ecosystems, habitats and species; and • Water quality; and • The natural flow characteristics and hydraulic processes (such as sediment transport) of rivers or the pattern and range of water level fluctuations that occur naturally in wetlands and lakes; and • The topography and physical composition of river or lake beds and the course of the river. <p>4.2.10 To avoid adverse effects on wetlands, and lakes and rivers and their margins, identified in Appendix 2 (Parts A and B) ... when considering the protection of their natural character from the adverse effects of subdivision, use and development.</p>

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4.2.11

To avoid, remedy or mitigate the adverse effects of the use and development of water bodies and river and lake beds on aquatic habitats and freshwater ecosystems by having regard to:

- The maintenance of biological and physical processes; and
- The maintenance of habitat for feeding, breeding and sheltering aquatic life; and
- The maintenance of diversity of aquatic life; and
- The maintenance of the ability of fish to disperse and migrate; and
- The times which will least affect feeding, spawning, dispersal or migratory patterns of fish and other aquatic species; and
- The prevention of irreversible adverse effects.

4.2.12

To promote the maintenance and enhancement of aquatic habitats and ecosystems when considering the adverse effects of the subdivision, use and development of land outside river and lake beds.

4.2.13

To protect the nationally threatened indigenous aquatic plants identified in Part B of Appendix 3 and to protect nationally threatened freshwater fauna, in the water bodies identified in Part A of Appendix 3....

4.2.14

To avoid, remedy or mitigate any adverse effects on important trout habitat in the Region, identified in Appendix 4, by:

- Managing water quality so that Policy 5.2.3 is satisfied; and

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		<ul style="list-style-type: none"> • Managing the flows and levels of water bodies so that Policies 6.2.1, 6.2.2, 6.2.12 and 6.2.13, whichever is (are) relevant, is (are) satisfied; and • Having particular regard to offsetting adverse effects on trout habitat; and • Having particular regard to maintaining the same or similar river bed configuration in the rivers identified.
<p>Amenity value and access</p>	<p>4.1.7 The amenity and recreational values of wetlands, lakes and rivers are maintained and where appropriate, enhanced.</p> <p>4.1.8 The quality of lawful public access to and along river and lake beds is maintained and where appropriate enhanced.</p>	<p>4.2.15 To avoid, remedy and mitigate any adverse effects of use and development on the water bodies identified in Appendix 5 as regionally important for their amenity and recreational values, by:</p> <ul style="list-style-type: none"> • Managing water quality so that Policy 5.2.4 is satisfied; and • Managing the flows and levels of water bodies so that Policies 6.2.1, 6.2.2, 6.2.12 and 6.2.13, whichever is (are) relevant, is (are) satisfied; and • Having particular regard to offsetting adverse effects on amenity and recreational values; and • Having particular regard to the timing of use and development so that, where practicable, adverse effects on amenity values and recreational use are minimised. <p>4.2.16 To ensure that there is no reduction in the quality of lawful public access along the beds of lakes and rivers unless exceptional circumstances arise that make restrictions necessary, including to:</p> <ul style="list-style-type: none"> • Protect any characteristic of any site or feature which gives a water body its special value or any conservation value; or • Provide for public health and safety; or • Provide for security on private property; or

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		<ul style="list-style-type: none"> • Protect the rights of property owners, including the protection of crops and stock. <p>4.2.17 To promote lawful public access to water bodies when the subdivision, use and development of land adjacent to water bodies is being considered, particularly those water bodies which:</p> <ul style="list-style-type: none"> • Have a high degree of natural character (Policy 4.2.10) are important trout habitat (Policy 4.2.14), or are regionally significant for amenity values and recreational use (Policy 4.2.15); or • Are considered by the relevant territorial authority to be of benefit to the local community for their recreational, cultural, scenic, spiritual or other amenity values.
Flood mitigation	<p>4.1.9 The risk of flooding to human life, health and safety is at an acceptable level.</p> <p>4.1.10 The adverse effects of flooding on natural values and physical resources, including people’s property, are at an acceptable level.</p>	<p>4.2.18 To promote the avoidance or mitigation of the potential adverse effects associated with flooding.</p> <p>4.2.19 To allow the maintenance of lawful flood mitigation works within river and lake beds and on floodplains.</p> <p>4.2.20 To ensure that there is sufficient information about flood hazards to enable flooding in the Region to be mitigated to an acceptable level.</p>

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		<p>4.2.21 To encourage community awareness about flood hazards by involving people in the processes that establish acceptable levels of flood mitigation.</p> <p>4.2.22 To adopt a precautionary approach when planning for and making decisions about the potential adverse effects of flooding on people and communities where information is incomplete or limited.</p>
<p>Water Quality and Discharges to Fresh Water</p>	<p>5.1.1 The quality of fresh water meets the range of uses and values for which it is required while the life supporting capacity of water and aquatic ecosystems is safeguarded.</p> <p>5.1.2 The quality of fresh water has the potential to meet the reasonably foreseeable needs of future generation.</p> <p>5.1.3 The quality of water is, as far as practicable, consistent with the values of the tangata whenua.</p>	<p>Receiving Water Quality</p> <p>5.2.1 To manage water quality in its natural state in those water bodies identified in Part A of Appendix 2 (subject to Policy 5.2.10).</p> <p>5.2.2 – relates to Lake Wairarapa; not applicable to this application.</p> <p>5.2.3 To manage water quality for trout fishery and fish spawning purposes in those rivers, or parts of rivers, identified in Appendix 4 (subject to Policy 5.2.10).</p> <p>5.2.4 To manage water quality for contact recreation purposes in those water bodies identified in Appendix 5 (subject to Policy 5.2.10) ...</p> <p>5.2.5 To manage water quality for water supply purposes in those water bodies, or parts of water bodies, identified in Appendix 6 (subject to Policy 5.2.10)...</p>

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5.2.6

Except for rivers and streams identified in Appendix 7, to manage the water quality of all surface water bodies in the Region for aquatic ecosystem purposes (subject to Policy 5.2.10).

5.2.7 – applies to management of groundwater – not applicable to this application.

5.2.8

To have regard to the relevant guidelines in Appendix 8 when deciding whether a discharge is able to satisfy Policies 5.2.1 to 5.2.7 (above) when considering applications for resource consents.

5.2.9

To manage the quality of the fresh water of the rivers, or parts of rivers, identified in Appendix 7 so that water quality is enhanced ...

5.2.10

To allow the discharge of contaminants to fresh water which do not satisfy Policies 5.2.1 to 5.2.9, whichever is (are) relevant, only where

- (1) the discharge is of a temporary nature; or
- (2) the discharge is associated with necessary maintenance works; or
- (3) exceptional circumstances justifying the granting of a permit; or
- (4) the discharge:
 - was present at the time the Plan was notified; and
 - is not likely to cause a decrease in the existing quality of water at that site and the person responsible for the discharge has defined a programme of work for upgrading the discharge within a specified timeframe; or
- (5) that in any event, it is consistent with the purpose of the Act to allow the

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discharge.

5.2.10 A(Policy A4 of the NPS on Freshwater Management 2011)

Mixing Zones

5.2.11

To ensure that any zones allowed on a discharge permit for reasonable mixing of contaminants or water with the receiving water are determined having regard to:

- The purpose for which the receiving water is being managed, and any effects of the discharge on that management purpose; and
- Any tangata whenua values that may be affected; and
- The volume of water or concentration of contaminants being discharged, and the area of receiving water that could potentially be affected; and
- The physical, hydraulic and hydrological characteristics of the receiving water.

Discharges to Land

5.2.13

To encourage users to discharge to land as an alternative to surface water ...

Discharges of Stormwater

5.2.14

To encourage the treatment of stormwater discharges to reduce the adverse effects of such discharges on the receiving water body.

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		<p>Non-point Source Discharges</p> <p>5.2.15 To promote the reduction of the levels of contaminants entering water bodies ... from non-point sources ...</p> <p>5.2.16 To minimise the adverse effects of accidental spills on water quality.</p>
Water Quantity and the Taking, Use, Damming or Diversion of Fresh Water	<p>6.1.1 People and communities are able to take, use, dam or divert surface water ... while ensuring flows in rivers ... are sufficient...</p> <p>6.1.4 The flows in rivers ... are, as far as practicable, consistent with the values of the tangata whenua.</p>	<p>Damming and Diversion</p> <p>6.2.14 To provide for minor or temporary diversions of water in any river, lake or wetland, where they are associated with authorised works and/or the exercise of a resource consent.</p> <p>6.2.15 To allow the damming or diversion of water in any river, lake or wetland provided:</p> <ol style="list-style-type: none"> 1) Adverse effects are avoided, remedied or mitigated; and 2) Significant adverse effects, which cannot be adequately offset, are avoided on ...

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Use of the Beds of Rivers and Lakes and Development on the Floodplain

7.1.1

Appropriate uses of the beds of rivers and lakes are allowed while avoiding, remedying, or mitigating any adverse effects.

7.1.2

The risk of flooding or erosion is not increased by locating structures or carrying out activities in the beds of rivers and lakes or on the floodplain.

7.1.3

Activities do not cause damage to, or destruction of, existing lawful flood mitigation works.

7.1.4

The uses of river and lake beds are, as far as is practicable, consistent with the values of the tangata whenua.

Appropriate Uses within River and Lake Beds

7.2.1

To allow the following uses within river and lake beds

- Structures or activities for flood mitigation or erosion protection purposes; or..
- The maintenance of any lawful structure; or..
- The extraction of sand, gravel, or rock; or ..
- The diversion of water associated with activities that are otherwise authorised; or
- The enhancement of the natural character of any wetland, lake or river and its margins;
- Provided that any adverse effects are avoided, remedied or mitigated and that significant adverse effects identified in Policy 7.2.2 are avoided...

7.2.2

To not allow the use of river and lake beds for structures or activities that have significant adverse effects on ...

- the values held by tangata whenua; and/or
- natural or amenity values; and/or
- lawful public access along a river or lake bed; and/or
- the flood hazard; and/or
- river or lake bed or bank stability; and/or water quality; and/or
- water quantity and hydraulic processes (such as river flows and sediment transport); and/or
- the safety of canoeists or rafters ...

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Flood and Erosion Mitigation in River and Lake Beds and on the Floodplain

7.2.3

To not allow new uses within the beds of rivers and lakes, and subdivision, use and development on the floodplain where the potential effect of flooding significantly increases the risk to human life, health and safety; or where the actual or potential effect of flooding has significant adverse effects on:

- Private or community property; and
- Flood mitigation structures and works; and
- Natural values.

7.2.4

To not allow the development of ad hoc flood or erosion mitigation structures ...

7.2.5

To not allow new industrial, residential or commercial development within the river corridors of the Otaki, Waikanae and Hutt Rivers ...

7.2.6

To have regard to any relevant Floodplain Management Plan and the information provided in any relevant flood hazard assessment, or in connection with any River Management Scheme, when considering subdivision, use or development within any river bed or floodplain.

7.2.7

To avoid any adverse effects on the structural integrity and effectiveness of lawful flood mitigation structures and works in river beds and on floodplains from the adverse effects of subdivision, use and development.

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7.2.7.A – to provide people with information about defences against water.

7.2.8

To allow recontouring of the beds of rivers provided:

The activity is necessary to avoid or mitigate the effects of flood hazard; and

The assessment of a resource consent application to carry out the activity is subject to Part II of the Act.

Structures in River and Lake Beds

7.2.9

To encourage the removal of any structure which:

- Is derelict; or
- Poses a threat to safety of people; or
- Is not in active use and is not likely to be used in the future.

7.2.10

To ensure all structures in or on the beds of rivers and lakes are visible and adequately maintained so that:

The structure is safe; and

Any adverse effects on the visual amenity of the area are minimised.

Disturbance of River and Lake Beds...

7.2.11

To ensure that the use of any river or lake bed which is not covered by water does not disturb nesting birds or any of the nationally threatened plant species identified in Part B of Appendix 3.

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7.2.12

To ensure that the disturbance of any river or lake bed associated with the removal of vegetation:

- Does not exacerbate bank erosion or the flood hazard; and/or
- Is required to be carried out either as a permitted activity or an activity for which resource consent has been granted.

7.2.13

To ensure the removal of sand, gravel, or rock from any lake or river bed is located and carried out in such a way that flood or erosion hazards are reduced or there is, at least, no increase to these hazards.

Planting in River and Lake Beds

7.2.14

To ensure that the deliberate introduction of plants to a river or lake bed for flood mitigation, erosion protection, habitat restoration, or for mitigating non-point source discharges of contaminants, will not result in the displacement of desirable species which are already present.

Reclamation or Drainage of River or Lake Beds

7.2.15

To ensure reclamation or drainage of any river or lake bed is only carried out ...