

Proposed Natural Resources Plan:

Submitter:

**John Ward**

Submitter Number:

**S201**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Titahi Ward Phone: 2366858  
Address for Service: 1 Man Road, Titahi Bay Email: JOHN.WARD@STORANGER.CO.NZ  
Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

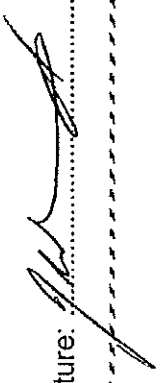
Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Date: 20/9/2015

Signature: 



Proposed Natural Resources Plan:

Submitter:

**Krystal Rankin O'Regan**

Submitter Number:

**S202**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Kristal Rankin O'Regan* Phone: *0279386706*

Address for Service: *18 Kotuku St Elsdon* Email: .....

*Porirua* Post Code: *5022*

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
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Email/Deliver Submission to: *tbra@clear.net.nz*

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: *K. Rankin O'Regan* Date: *21/09/15*





Proposed Natural Resources Plan:

Submitter:

**Manu Barclay**

Submitter Number:

**S203**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation:

(Esherwood) Manu Barclay

Phone:

0276222623

Address for Service:

18 Kotuku St.  
Asson Porirua

Email:

5022

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
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Email/Deliver Submission to: [tbra@clear.net.nz](mailto:tbra@clear.net.nz)

Before Friday 25 Sept 2015

Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:



Date:

21-9-2015



Proposed Natural Resources Plan:

Submitter:

**Joshua Holmes**

Submitter Number:

**S204**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Jessica Holmes Phone: 04-2366582  
Address for Service: 123 Pitarere St, Titahi Bay Email: S.K.Walsh@Hotmail.com  
Porirua Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: J Holmes Date: 19/9/15





Proposed Natural Resources Plan:

Submitter:

**Steve Wallace**

Submitter Number:

**S205**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Steve Johnson Phone: 04 236 0677

Address for Service: 2 Hemley St / Boat Shed Email: bayprint@aol.nz

Parerua Post Code: 5022

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
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The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz Graeme Ebbett, 021 499 736

Signature: [Signature] Date: 18-9-15 Before Friday 25 Sept 2015  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Andrew Wallace**

Submitter Number:

**S206**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Andrew Wallace Phone: 042360477  
Address for Service: 2 Thornley St Post Code: 5022 Email: Boypaint1@xtra.co.nz

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Date: 19/09/2015

Signature: Andrew Wallace





Proposed Natural Resources Plan:

Submitter:

**Steve Cranney**

Submitter Number:

**S207**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Steve Conroy Phone: 027 837 2098  
Address for Service: 51A Tireti Rd Email: Steve.Conroy@Aricorica.co.nz  
Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: St Conroy Date: 19/9/15



Proposed Natural Resources Plan:

Submitter:

**Greg Stanbridge**

Submitter Number:

**S208**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Grey Stangeridge Phone: 04 7368595

Address for Service: 31 Thornley St Titahi Bay Email: theboyextra.co.nz

Porirua Post Code: 5022

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: GAE Date: 19/9/15





Proposed Natural Resources Plan:

Submitter:

**Pam Ringrose**

Submitter Number:

**S209**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Sam Ringer Phone: 021-2316142

Address for Service: 9 Park Ave Email: pam@duve.co.nz

Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 28/9/15



Proposed Natural Resources Plan:

Submitter:

**Leiken Walker**

Submitter Number:

**S210**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Leikem Tahne Staff Walker Phone: 022 456 8127

Address for Service: 126 Grooming hill Email: .....

Post Code: .....

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 24.9.15





Proposed Natural Resources Plan:

Submitter:

**Scott McIntosh**

Submitter Number:

**S211**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

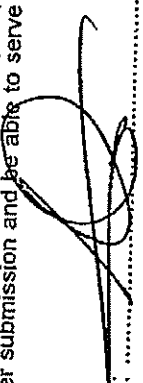
Name/Organisation: SOOT MOUNTAIN Phone: 236 3557  
Address for Service: 126 CLANNING HILL / TITAHU 1991 Email: MCINTOSH FAMILY TITAHU.CO.NZ  
Post Code: .....

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature:  Date: 24/9/15  
Email/Deliver Submission to: tbra@clear.net.nz Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Tanya Bason**

Submitter Number:

**S212**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Tanya Basan Phone: 0273055709  
Address for Service: 1 Tuxa Terrace, Titahi Bay Email: tuchenandkanya@hotmail.com  
Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
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Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Tanya Basan Date: 02.09.2015





Proposed Natural Resources Plan:

Submitter:

**Falyn Kamana**

Submitter Number:

**S213**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach

(Except Surf Lifesaving etc)

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

Name/Organisation: Falyn Kamana Phone: 022 4568119

Address for Service: 2752 Awatea drive Email: falyn.thompson@  
ranaiheights Post Code: nothmail.com

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: A. Kam Date: 23/09/2015



Proposed Natural Resources Plan:

Submitter:

**Kiri Hunter**

Submitter Number:

**S214**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach

(Except Surf Lifesaving etc)

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

Name/Organisation: Keri Hunter

Address for Service: 23 DUNBAR STREET, TITAHAI Phone: 0274227910

Post Code: 5024 Email: Keri.Hunter@clear.net.nz

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: Keri Hunter Date: 23/09/2015

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022





Proposed Natural Resources Plan:

Submitter:

**Kayla Hawea**

Submitter Number:

**S215**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach

(Except Surf Lifesaving etc)

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

Name/Organisation: Kayla Hawea Phone: 022 069 2041  
Address for Service: 17 Mahinawa Street Email: Kaylahawea@live.com  
235dan Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Kayla Hawea Date: 23/9/15



Proposed Natural Resources Plan:

Submitter:

**Tephin Lao**

Submitter Number:

**S216**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: Tepehin Law Phone: 04 236 8159  
Address for Service: 48 Owhiri St Titahi Bay Email: Tepehin Law@hotmail.com  
Wayton Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: [Signature] Date: 24/09/15  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022





Proposed Natural Resources Plan:

Submitter:

**Cathie Tomkies**

Submitter Number:

**S217**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: Cathie Tomkies Phone: 021 088 70544  
Address for Service: 80 Owhiti Street Email: Cathie.tomkies@gmail.com  
Titahi Bay Post Code: 5002

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: Cathie Tomkies Date: 23/9/15

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Mark Whaley**

Submitter Number:

**S218**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: MARK WHALEY Phone: 2366541  
Address for Service: 6 KAPITI CREES Email: markwhaley@gmail.com  
TITAHU BAY Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
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Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Mark Whaley Date: 20.9.15





Proposed Natural Resources Plan:

Submitter:

**Jaime Fearn**

Submitter Number:

**S219**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Jaime Fearn Phone: 022 658 2053  
Address for Service: 18 Campbell Tce Petone Email: Jaime.Fearn@gmail.com  
4/H Post Code: 5012

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

### Submission

- We oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- We wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- We authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature: J Fearn Date: 23/9/15  
Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Jamie McIntosh**

Submitter Number:

**S220**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Jamie McIntosh Phone: 022 024 7479  
Address for Service: 126 Grooming Hill Email: jaemcintosh@hotmail.com  
Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

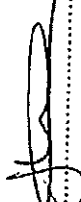
The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: 23/9/15





Proposed Natural Resources Plan:

Submitter:

**Alex Kelly**

Submitter Number:

**S221**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Alex Kelly Phone: 027 277 3484  
Address for Service: 21 Kapiti Cres Email: Alex.Kelly@outlook.co.nz  
Titahi Bay Post Code: 5024

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: thra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: Alex Kelly Date: 23 Sep

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Vicky Phillips**

Submitter Number:

**S222**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: *Vicki Phillips* Phone: *0275430729*  
Address for Service: *719 Mafatua St* Email: .....

..... Post Code: *5022*

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature: *[Signature]* Email/Deliver Submission to: *tbra@clear.net.nz*  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Date: *23-9-15*





Proposed Natural Resources Plan:

Submitter:

**Horouta Reo**

Submitter Number:

**S223**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: HOROYTA KAHANGA REO

Address for Service: 8 WAIATERE BLVD

ROTORUA

Post Code: .....

Phone: .....  
Email: wharara@tangirua.co.nz

wharara.co.nz

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: thra@clear.net.nz

Before Friday 25 Sept 2015

Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: .....

Date: 23.9.15



Proposed Natural Resources Plan:

Submitter:

**Luisa Power**

Submitter Number:

**S224**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Linda Power Phone: 0212930520  
Address for Service: 10 Richard St, Titahi Bay Email: l.m.l.wisa@hotmail.com  
Post Code: 5022


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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: thra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: 22/09/15





Proposed Natural Resources Plan:

Submitter:

**Sophie Bevan**

Submitter Number:

**S225**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Sophie Bevan Phone: 0212560974  
Address for Service: 45 Herewini Street Titahi Bay Email: sophiebevan@outlook.com  
Porirua Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: S Bevan Date: 23/9/15



Proposed Natural Resources Plan:

Submitter:

**Terrie Thomson**

Submitter Number:

**S226**

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# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: TERRACE TERRACES Phone: 021 084 16553  
Address for Service: 80 Titahi Rd, Titahi Bay Email:   
Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Therese Date: 23.9.15

Proposed Natural Resources Plan:

Submitter:

**T Essel**

Submitter Number:

**S227**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)


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

Name/Organisation: T. Essel Phone: 0221268354  
Address for Service: 1-14 Jillett st Email: .....  
..... Post Code: 5013

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

- Submission**
- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
  - The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
  - I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
  - I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature:  Date: 23.09.15  
Email/Deliver Submission to: tbra@clear.net.nz Before Friday 25 Sept 2015  
Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**K Collins**

Submitter Number:

**S228**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: K. COLLINS Phone: 2367468  
Address for Service: 6 JILLET ST Email: l.l.g.b.y.r.s.s@xtra.co.nz  
TITAHU BAY Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: K. E. Collins Date: 23.9.15



Proposed Natural Resources Plan:

Submitter:

**Kirsty Cooper**

Submitter Number:

**S229**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Kirsty Cooper Phone: 021 04 3176  
Address for Service: 30 Mawhere St Email: .....  
Ti Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Kirsty Cooper Date: 23-9-15



Proposed Natural Resources Plan:

Submitter:

**Kimberley Linschoten**

Submitter Number:

**S230**

# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: *Kimberley Linschoten* Phone: *022 372 6024*  
Address for Service: *63 Gloaming Hill* Email: .....  
*Titahi Bay* Post Code: *5022*

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: *thra@clear.net.nz*  
Before Friday 25 Sept 2015 Graeme Ebbatt, 021 499 736

Signature: *Kimberley Linschoten* Date: *23-9-15*  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Proposed Natural Resources Plan:

Submitter:

**Janette Linschoten**

Submitter Number:

**S231**

# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: Janeke C. Vinschooten Phone: 0274325600  
Address for Service: 63 Glamorgan Hill Email: J.Vinschooten@iway.co.nz  
Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.


The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: 23-9-15

Proposed Natural Resources Plan:

Submitter:

**Hemi Remuera**

Submitter Number:

**S232**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Hemi Remuera Phone: 0278418847  
Address for Service: 309 Downes Street Titahi Bay Email: HemiRemuera@gmail.com  
Post Codes: 5022 Email: hemi.remuera@gmail.com

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

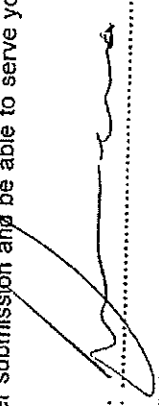
### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature:  Date: 19.09.2015

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Jenny McIntosh**

Submitter Number:

**S233**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: Jenny McIntosh Phone: 0272770905  
Address for Service: 126 Gloomwing Hill T/Bay Email: McIntoshfamily@xtra.co.nz  
Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Jenny McIntosh Date: 19.9.15



Proposed Natural Resources Plan:

Submitter:

**Nicole Remuera**

Submitter Number:

**S234**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Nicole Romuera Phone: 027 841 8847  
Address for Service: 12 30b Downes street Email: Nicole.Scis.orhand@hotmail.com

Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Date: 19-09-2015

Signature: Nicole Romuera Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Chris Eastwood**

Submitter Number:

**S235**



# Titahi Bay Beach (Except Surf Lifesaving etc)

## Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Chris Eastwood Phone: 234 1551

Address for Service: 27 Lake Road, Close to Titahi Bay Email:

Post Code: 5024

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5

Signature:  Date: 23/9/15



Proposed Natural Resources Plan:

Submitter:

**Carl Jamieson**

Submitter Number:

**S236**





# Titahi Bay Beach (Except Surf Lifesaving etc)

## Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: CARL SAMUELSON Phone: 041529380

Address for Service: 76A Main Road, Titahi Bay Email: Carl.Samuelson@3ivival.com

Porirua Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: ibra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature:  Date: 22/9/15  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5



Proposed Natural Resources Plan:

Submitter:

**Di Robertson**

Submitter Number:

**S237**



# Titahi Bay Beach (Except Surf Lifesaving etc)

## Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: D. ROBERTSON Phone: 04 2368455  
Address for Service: 76A MAIN RD TITAHU BAY Email: diane.robertson@clear.net.nz  
PERIJA Post Code: 5022

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


### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitter make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature:  Date: 22.09.15  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5



Proposed Natural Resources Plan:

Submitter:

**Trevor Carrier**

Submitter Number:

**S238**





# Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: Theron Carron Phone: 04-2368055  
Address for Service: 76 M Mearns Rd Titahi Bay Email:  
Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters make further submission and be able to serve you with a copy of it

Email/Deliver Submission to: tbca@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: Theron Carron Date: 22-9-15  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5



Proposed Natural Resources Plan:

Submitter:

**Anita MacPherson**

Submitter Number:

**S239**



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

Anita MacPherson  
PO Box 52066, Titahi Bay, Porirua 5242  
28 Tieriti Rd, Titahi Bay  
myclowder@xtra.co.nz  
042368536

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

**Submission**

- \* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- \* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- \* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- \* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

2/19/15



Proposed Natural Resources Plan:

Submitter:

**Michael and Pam Winthrop**

Submitter Number:

**S240**





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

Name/Organisation: Michael and Pam Winthrop.

Address for Service: 14 Main Road, Titahi Bay, Porirua Post Code: 5022

Phone: 04 2360301 Email: mikeandpamwinthrop@xtra.co.nz

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

**Submission**

- \* We oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- \* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- \* We wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- \* We authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.



Proposed Natural Resources Plan:

Submitter:

**Louise Fruean**

Submitter Number:

**S241**



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

Name/Organisation: .....Louise Fruean.

Address for Service: ..17 john st Titahi bay..

.. Post Code: .....

Phone: ....042364055..... Email: .....louise.fruean@ccdhb.org..

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

**Submission**

**\* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.**

**\* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.**

**\* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.**

**\* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Raewynne Graf**

Submitter Number:

**S242**





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

Name/Organisation: Raewynne Graf.

Address for Service: Currently at 54 Matatiro Street Titahi Bay.  
.....5022. Post Code: .....

Phone: .....0220275833.....

Email: .....

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

Submission

\* I oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.

\* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.

\* I wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.

\* I authorise Titahi Bay Residents Assn Inc to present my case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Marion Slow**

Submitter Number:

**S243**



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

Name/Organisation: .....Marion Slow....

Address for Service: .....c/- 19 John Street, Titahi Bay, Porirua ...  
Post Code: .....5022.....

Phone: .....04 236 7295..... Email: ...

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

**Submission**

**\* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.**

**\* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.**

**\* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.**

**\* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Ezric Slow**

Submitter Number:

**S244**





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

Name/Organisation: .....Ezric Slow..

Address for Service: .....19 John Street, Titahi Bay, Porirua.....

..Post Code: ..5022.....

Phone: .....04 236 7296... Email: ...ezslow@xtra.co.nz.....

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

**Submission**

**\* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.**

**\* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.**

**\* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.**

**\* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Wendy Leary**

Submitter Number:

**S245**



\*\*\*\*\*

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

Name/Organisation: .... Wendy Leary.....

Address for Service: .....19 John Street, Titahi Bay, Porirua.....

..... Post Code: .....5022.....

Phone: .....04 236 7296.....

Email: .....leary.wendy074@gmail.com.....

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

**Submission**

**\* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.**

**\* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.**

**\* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.**

**\* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.**

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Paul Murray**

Submitter Number:

**S246**





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

Name/Organisation: Paul Murray

Address for Service: 43 Main Road

Titahi Bay, Porirua Post Code: 5022

Phone: 04 236 7742 Email: [murray.wilson@paradise.net.nz](mailto:murray.wilson@paradise.net.nz)

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

### Submission

- \* I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- \* The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- \* I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- \* I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

21/9/15



Proposed Natural Resources Plan:

Submitter:

**Koro Pulman**

Submitter Number:

**S248**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

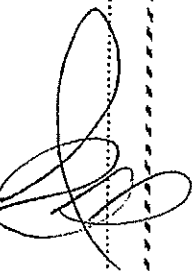
Name/Organisation: Koro Palmer Phone: 2367153  
Address for Service: 2 Humphreys Close Email: .....  
..... Post Code: .....

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature:  Date: 16.9.2015  
Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Mr & Mrs Allan**

Submitter Number:

**S249**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: *Mr & Mrs Allan* Phone: *04-2367583*  
Address for Service: *12 Park Ave Titahi Bay* Email: .....  
*P.O. Box 4* Post Code: *5022*

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

### Submission

- we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: *tbra@clear.net.nz*

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Signature: *R.P. Allan*

Date: *20.9.15*

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Titahi Bay Fisherman's Club**

Submitter Number:

**S250**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: TITAHAI BAY FISHERMANS CLUB Phone: 04-2367816

Address for Service: P.O. Box 52022 Email: Members Ap 60

TITAHAI BAY Post Code: 60

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: President Abcenter Date: 20-9-15



Proposed Natural Resources Plan:

Submitter:

**Arthur Hunter**

Submitter Number:

**S251**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: ARTHUR HUNTER Phone: 02252367816

Address for Service: P.O. Box 52072 Email: .....

TITAHU BAY Post Code: .....

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Arthur Hunter Date: 20-9-15



Proposed Natural Resources Plan:

Submitter:

**Autie Hunter**

Submitter Number:

**S252**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: *Andre Matthew Limited* Phone: *022 633 5906*  
Address for Service: *17 Paingi St* Email: *A.trehanter@clear.net.nz*  
*Titahi Bay* Post Code: *5022*

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: *tbra@clear.net.nz*

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: *20/9/15*



Proposed Natural Resources Plan:

Submitter:

**Ralence Tahuparae**

Submitter Number:

**S253**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

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

Name/Organisation: KARENCE JAMES TAKAPUWA Phone: 021 890182  
Address for Service: 15 PAENUKAI STREET Email: .....  
TITIAHI BAY Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 26.9.15



Proposed Natural Resources Plan:

Submitter:

**Shonn Roberts**

Submitter Number:

**S254**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Sharon Williams Tupaea Roberts* Phone: *0277466323*

Address for Service: *26 Omack St Titahi Bay* Email: .....

*Titahi Bay* Post Code: *5022*

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: [tbra@clear.net.nz](mailto:tbra@clear.net.nz)

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: *20/9/15*



Proposed Natural Resources Plan:

Submitter:

**Carlos Watters-Rangitiki**

Submitter Number:

**S255**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: *Carlos Nathan Walker-Rogitiki* Phone: *0273543362*

Address for Service: *15 Paenau CT Titahi Bay* Email: .....

*Titahi Bay* Post Code: *5022*

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

### Submission

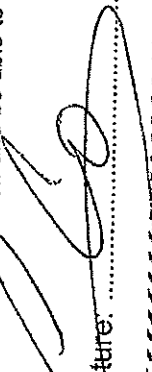
- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: *tbra@clear.net.nz*

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: *20/9/15*



Proposed Natural Resources Plan:

Submitter:

**Danny Makamaka**

Submitter Number:

**S256**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Danny Makamaka Phone: (04) 239  
Address for Service: 700 Sea Vista Drive Email: danny.makamaka@twor.a.s.nz  
Dave J. Pitt Post Code: .....

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 19.9.15



Proposed Natural Resources Plan:

Submitter:

**Maikara Thorpe**

Submitter Number:

**S257**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Maukara Thorpe Phone: 021 261 2673

Address for Service: Hongoeka Bay, Hongoeka Email: .....

Post Code: 4110

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 19-9-15



Proposed Natural Resources Plan:

Submitter:

**Awhina Takerapa**

Submitter Number:

**S258**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Titahi Bay Residents Assn Inc* Phone: *027 255 4437*  
Address for Service: *100 Rangitikei Bay* Email: *awhngt98@gmail.com*  
*Phonedelton* Post Code: .....

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature: *[Signature]* Date: *19/09/15*  
Email/Deliver Submission to: *tbra@clear.net.nz* Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



# Proposed Natural Resources Plan:

Submitter:

**Ben Notes**

Submitter Number:

**S259**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Ben Notes* Phone: *021 328 870*  
Address for Service: *Titahi Bay, Porirua* Email: *kelayinoksel67@gmail.com*  
*37 TERRACE RD* Post Code: *5022*

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

### Submission


- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: [tbra@clear.net.nz](mailto:tbra@clear.net.nz)

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: *18.9.15*



Proposed Natural Resources Plan:

Submitter:

**Neil Walter**

Submitter Number:

**S260**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Beal Walter Phone: 021  
Address for Service: Titahi Bay Email:   
37 TERRACE RD Post Code: 5022

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 18.9.15



Proposed Natural Resources Plan:

Submitter:

**Hayden Poole**

Submitter Number:

**S261**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



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

Name/Organisation: Hayden Poole Phone: 2365613  
Address for Service: 23 Dimock St Email: Hayden.Poole@hotmail.com  
Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Signature: [Signature] Date: 24/9/15  
Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022



Proposed Natural Resources Plan:

Submitter:

**Natalia Spooner**

Submitter Number:

**S262**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Natalia Spooner Phone: 021 029 76 76 3

Address for Service: Titahi Bay Email: thebeautyshop@live.com  
37 TERRACE RD Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

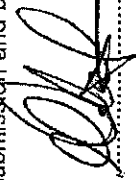
The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: 18.9.15



Proposed Natural Resources Plan:

Submitter:

**Fiona Apanui-Kupenga**

Submitter Number:

**S263**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Fiona Apparu-kieperga Phone: 02736284  
Address for Service: 73 Gloaming Hill Email: fiona@karakura.co.nz  
Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz  
Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Fiona Apparu-kieperga Date: 19/09/15



Proposed Natural Resources Plan:

Submitter:

**Tyrone Gardiner**

Submitter Number:

**S264**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Tyrone Gardner Phone: 022 164 7796  
Address for Service: 1 Arene Grove, Titahi Bay Email: thgardner@hotmail.com  
Porirua Post Code: 5022

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Tyrone Gardner Date: 19/9/2015



Proposed Natural Resources Plan:

Submitter:

**Murray Patterson**

Submitter Number:

**S265**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Murray Patterson* Phone: *021-146-6471*

Address for Service: *84 Pikarehe Street* Email: *m.patterson@paradise.net.nz*

*Titahi Bay* Post Code: *5022*

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: *tbra@clear.net.nz*

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: *[Signature]* Date: *19/9/15*



Proposed Natural Resources Plan:

Submitter:

**Emily Wikingi**

Submitter Number:

**S266**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: Emily Wikingi Phone: 04 2366713

Address for Service: 25 Hiwi Crescent, Titahi Bay Email: .....

Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Emily Wikingi Date: 19-09-15



Proposed Natural Resources Plan:

Submitter:

**Dave Abbott**

Submitter Number:

**S267**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: *Dave Abbott* Phone: *0274050099*  
Address for Service: *44 A Herewini St* Email: *Dave@herewini.co.nz*  
*T/Bay* Post Code: *5022*

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: [tbra@clear.net.nz](mailto:tbra@clear.net.nz)

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: *18/9/15*



Proposed Natural Resources Plan:

Submitter:

**Titahi Bay RSA**

Submitter Number:

**S268**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)

### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: TITAHU BAY TRSA Phone: 0275280653  
Address for Service: 33 INLET VIEW Email: John Alexander Bayfield Ltd Co Ltd  
TITAHU BAY Post Code: .....

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

#### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature:  Date: 18/9/15



Proposed Natural Resources Plan:

Submitter:

**L Haggland**

Submitter Number:

**S269**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: L. HACKETT Phone: 04 236 8514  
Address for Service: 19 TIRETIA RD Email: carls19@gmail.com  
TITAHU BAY Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: [Signature] Date: 18/9/2015



Proposed Natural Resources Plan:

Submitter:

**Sue Hagai**

Submitter Number:

**S270**



# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: SUE HARRIS Phone: 027 232 6681

Address for Service: 70A MAUNU RD Email: .....

Titahi Bay Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc

37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: Sue Harris Date: 18/7/15



Proposed Natural Resources Plan:

Submitter:

**Vaero Hagai**

Submitter Number:

**S271**





# Motor Vehicle Prohibition - Boat Sheds - Boat Launching

## Titahi Bay Beach (Except Surf Lifesaving etc)



### Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

Name/Organisation: VARRO HAGAHI Phone: 236 6681

Address for Service: 70A MAW RD TITAHI BAY Email: \_\_\_\_\_

Post Code: 5022

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

### Submission

- I/we oppose the provision of rules to prohibit motor vehicles over the entire length of Titahi Bay beach because of disturbance to the foreshore, seabed and remnants of fossilised forest.
- The reason is that adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.
- I/we wish to have the provision amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.
- I/we authorise Titahi Bay Residents Assn Inc to present my/our case at a hearing.

The Wellington Regional Council is legally required to publicly notify a summary of submissions including your name and address so other submitters can make further submission and be able to serve you with a copy of it.

Email/Deliver Submission to: tbra@clear.net.nz

Before Friday 25 Sept 2015 Graeme Ebbett, 021 499 736

Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022

Signature: G. HAGAHI Date: 18/9/15



Proposed Natural Resources Plan:

Submitter:

**Titahi Bay Residents' Association**

Submitter Number:

**S272**



## Form 5: Submission on the Proposed Natural Resources Plan for the Wellington Region

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

regionalplan@gw.govt.nz

25 September 2015

Graeme Ebbett  
Chairman  
Titahi Bay Residents Assn Inc  
37 Terrace Rd, Titahi Bay, Porirua 5022.  
Ph 236 8574, Mob 021 499 736  
[tbra@clear.net.nz](mailto:tbra@clear.net.nz)

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

### Submission on Specific Matters of Coastal Management, Titahi Bay:

#### 1.0

Provision Nos: P149, R196, R199, Map35 etc which have the effect of prohibiting motor vehicles over the entire length of Titahi Bay foreshore, seabed and remnants of fossilised forest.	Submission on this provision:	We oppose the provisions.
	Reasons for submission:	<p>Adverse effects of motor vehicles on the environment can be avoided, remedied or mitigated with an agreed, practical, sustainable management plan.</p> <p>This contention is supported by Titahi Bay Residents Association (52 members), Fishermans Club (60 members), Titahi Bay Returned Services Association, approx 92 submitters, Bay Community's Village Plan 2005, Environment Court Orders 1999/2000 (by consent WRC/PCC/TBRA), Boatshed Owners/Fishermen/Residents Representatives agreement 1993, community petition 1993 (1265 signatories), and the Porirua City Council 1990 beach plan.</p>
	We seek the following decision (detailed):	<p>To have the provisions amended to allow blanket resource consent for motor vehicles in the boat shed areas at the ends of the beach.</p> <p>That the logical inner-beach boundaries of these areas be the streams across the beach at Bay Drive at the north end and South Beach Access Road at the south end.</p> <p>For Porirua City Council (PCC) to be the obvious applicant for Resource Consent (RC) from Wellington Regional Council (WRC) because it is legally responsible for access to the beach and is the lessor of boat shed sites on the beach which require motor vehicles for launching/retrieving boats.</p> <p>That the RC application requires public notification, assessment of environmental effects and an agreed, practical, sustainable management plan to satisfactorily avoid, remedy, or mitigate the identified potential adverse environmental effects.</p>



## 2.0

<p>Provision Nos: P149, R196, R199, Map35 etc which have the effect of prohibiting motor vehicles except surf lifesaving, emergency operations etc in the centre-beach area.</p>	<p>Submission on this provision:</p>	<p>We wish to have the provisions amended.</p>
	<p>Reasons for submission:</p>	<p>That special interest activities like motion picture filming, commemorative waka landings or an annual beach festival could be accommodated with special management plans.</p> <p>Adverse effects of their service vehicles on the environment could be avoided, remedied or mitigated with individual management plans and special provision for monitoring and enforcement.</p>
	<p>We seek the following decision (detailed):</p>	<p>Amendment to allow resource consent for special event motor vehicles in the central prohibited area of the beach.</p> <p>Our support for this provision is contingent on first satisfying conditions of our submission Item 1. (ie RC conditions/agreement settled for the boat shed areas at the ends of the beach as a prerequisite to any possibility of RC for special activity in the central beach area).</p>

## 3.0

<p>Provision Nos: P147, P149, R197 policies and rules which provide overriding permission for motor vehicles associated with "local authority activities" and "the maintenance, upgrade and operation of regionally significant infrastructure".</p>	<p>Submission on this provision:</p>	<p>We oppose the provisions</p>
	<p>Reasons for submission:</p>	<p>We see no definition of "local authority activities" or "regionally significant infrastructure" (our plan PDF copy faulty?).</p> <p>Therefore it appears the provisions introduce carte blanche local authority for disturbance of the foreshore, seabed and fossilised forest.</p> <p>This would be in conflict with the policy behind proposed prohibition of motor vehicles in order to avoid disturbance.</p> <p>Would it now permit motor vehicles, for example, in installation and maintenance of the Telstra Saturn submarine cable, without RC?</p>
	<p>We seek the following decision (detailed):</p>	<p>Deletion of the provision.</p> <p>Reinstatement of previous Coastal Plan wording which clearly specified</p> <p>Rule 82</p> <p>(2) any motor vehicle used for litter removal or dog control; or</p> <p>(3) any motor vehicle used for beach grooming or clearance of piped storm water outfall, maintenance of lawful structures, or other activities permitted by this plan.</p>





#### 4.0

<p>Provision Nos: P149, R190, R191, R192, Map35 etc which now prohibit beach grooming but permit beach recontouring or reshaping and vehicles with tracks (bulldozers etc).</p>	<p>Submission on this provision:</p>	<p>We wish to have the provision amended</p>
	<p>Reasons for submission:</p>	<p>The provisions would be in conflict with the policy behind proposed prohibition of motor vehicles in order to avoid disturbance.</p> <p>Beach recontouring would do unacceptable damage to the fossilised forest. It is prohibited in the current Coastal Plan.</p> <p>Caterpillar tracked vehicles burrow into the sand by swiveling on one track while turning. They create much greater disturbance to the foreshore than rubber-tyred vehicles. They are prohibited in the current Coastal Plan. They were prohibited in the 2001 Environment Court Order by consent (TBRA v WRC &amp; Telstra-Saturn).</p>
	<p>We seek the following decision (detailed):</p>	<p>Reinstatement of Coastal Plan Rule 29 (2)</p> <p>Conditions (7) If the activity is carried out on Titahi Bay beach, it shall be carried out by or on behalf of a local authority to maintain amenity values and any vehicle used shall not have tracks and the activity is not to involve recontouring or reshaping.</p> <p>Reinstatement of the essence of Coastal Plan Rule 82 (albeit with a changed centre-beach area), which provides prohibition of motor vehicles, motorcycles, trailers and land yachts on Titahi Bay Beach within the centre of Titahi Bay...; and</p> <p>any part of the remaining foreshore at Titahi Bay where any fossil forest is exposed.</p> <p>Prohibition of tracked vehicles on any part of the foreshore and seabed of Titahi Bay beach.</p>

#### 5.0

<p>Provision: Schedule J listing of Titahi Bay fossil forrest as Nationally Significant.</p>	<p>Submission on this provision:</p>	<p>We support the provision</p>
	<p>Reasons for submission:</p>	<p>The fossil forest has had official geological recognition for decades and has been a feature of international publications and visits by groups of overseas geologists.</p> <p>It is one of only two in NZ which are readily accessible on a beach to view anytime. The other is at Curio Bay in the South Island. There, vehicles are excluded and there is a special viewing platform erected for tourists.</p>
	<p>We seek the following decision (detailed):</p>	<p>Continued recognition of its significance.</p>



## 6.0

Provision Nos: R196, "Note Permission may be required from the relevant city or district council"	Submission on this provision:	We oppose the provision
	Reasons for submission:	Wording is not clear and possibly ambiguous. Could it be read to mean that permission from the relevant council may be an alternative to the Rule?
	We seek the following decision (detailed):	Delete. Alternatively qualify it with addition of "also", "under a local bylaw" ?

## Submission on Other Matters of The Plan, Generally:

### 7.0

Provision: Generally references to unattached non-statutory documents which may have an effect on the outcome of stated Objectives, Policies or Rules.	Submission on this provision:	We oppose such provisions.
	Reasons for submission:	The Plan must be a self-contained, stand-alone, workable, self-explanatory and not reliant on references to objectives, policies and actions of other separate/undisclosed documents which may change from time to time.  This is to ensure that the plan is established and maintained in its own right according to statutory requirements of proper public consultation etcetera.
	We seek the following decision (detailed):	Removal of all such references. Alternatively modification of the plan to meet the above requirement and repetition of the submission process.

### 8.0

Provision: P146, Introduction of pest plants	Submission on this provision:	We oppose the provision
	Reasons for submission:	There appears to be no definition or schedule of "pest plants".
	We seek the following decision (detailed):	Deletion of the provision.

**We wish to be heard in support of our submission and present a joint case at a hearing with the attached, approximately 92 submitters.**



Proposed Natural Resources Plan:

Submitter:

**Spencer Holmes Limited**

Submitter Number:

**S273**



**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: Spencer Holmes Ltd

Organisation name:  
(If applicable)

Address for Service: Level 6, 8 Willis Street, Wellington 6011  
PO Box 588, Wellington 6140

Telephone no's: Work: 04 472 2261 Home: Cell: 021 976 498

Contact person: David Gibson

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: adg@spencerholmes.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

#### General Submission:

We are underwhelmed by the approach of the Proposed Natural Resource Plan (PNRP). It simply tinkers with the existing rules. We consider that the Regional Council has missed an opportunity to implement more fundamental changes to approach the management of soil, water and air.

In particular, the new plan does not recognise and provide for the different environments throughout the region. Instead, the new plan continues to focus on the natural environment. What is needed is a more balanced approach for the urban environment in terms of both policy direction and rules.

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):  Entire Plan	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 policy and rule framework of the PNRP does not recognise the region's urban environments
	I seek the following decision from WRC (give precise details): →	New policy framework and rule structure that recognises and provides for activities in the urban environment.

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 27 & 41	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 equivalent rule for Rule 20 of the RAQP relating to discharge to air (i.e. dust) from landfilling. Is dust from cleanfill a contaminant? Therefore dust from a cleanfill operation would require consent as a discretionary activity under rule R41.
	I seek the following decision from WRC (give precise details): →	Expand R27 to include cleanfill operations.

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 42 & 48	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: →	We support the increased TSS limit of 100g/m <sup>3</sup> for waterbodies that are not listed in a specific Schedule.  Rule 48 is not clear how it applies to subdivisions, where new stormwater infrastructure is built.
	I seek the following decision from WRC (give precise details): →	Retain the TSS limits for these rules.  Amend the rule to clarify its application for 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):  Rules 50 & 51	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: →	These rules are confusing as to whether they apply to new stormwater infrastructure. Developers of greenfield subdivisions construct new stormwater infrastructure and vest this with the TA. Will the TA have to get additional consents / variations when new infrastructure is built or added to the existing stormwater network?
	I seek the following decision from WRC (give precise details): →	These rules need to be deleted or significantly amended to be clear how they relate to new infrastructure.

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 55	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 rule should only apply to priority contaminants.
	I seek the following decision from WRC (give precise details): →	Amend to apply to the discharge of priority contaminants.



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 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: →	Part (g) is confusing as it excludes some of the very structures the rule is supposed to apply to.
	I seek the following decision from WRC (give precise details): →	Perhaps the exclusion was to apply to overhead structures? This would then tie in with rule 117.  Retain (g)(i) & (g)(ii)

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 117 & general conditions 5.5.4	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: →	This rule and the general conditions would permit small structures such as stormwater outlets and rip-rap to be constructed on the bank of a river.
	I seek the following decision from WRC (give precise details): →	Retain rule 117 and general condition 5.5.4.

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 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: →	Given that Policy 102 recognises some need for reclamation (particularly for urban areas or areas zoned for urban use), it is unnecessarily restrictive to classify reclamation as a non-complying activity.
	I seek the following decision from WRC (give precise details): →	Rule 127 should be a re-classified as 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 type="checkbox"/> I oppose the provision <input checked="" type="checkbox"/> I wish to have the specific provision amended
	Reasons for my submission: →	The policy includes exceptions for when reclamation should be avoided. The exceptions include Special Housing Areas and area subject to a growth framework under the LGA 2002
	I seek the following decision from WRC (give precise details): →	The policy should also recognise the urban area and provide an exemption for land zoned as urban by 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):  Policies 73 & 79	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 policies impose significant constraints on land development. In particular, policy 79 requires predevelopment flows to be maintained. Policy 73 requires the use of water sensitive urban design (WSUD) in new development. These policies do not recognise the topography and the TA's willingness to own such infrastructure.
	I seek the following decision from WRC (give precise details): →	The policy should also recognise that some urban areas have steep topography where WSUD is not practical to implement. In addition, many TA's are resistant to public WSUD infrastructure due to the higher costs of maintenance.

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 74 & 75	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: →	These policies require TA's to implement stormwater management plans for their networks. This includes the use of land-based treatment of stormwater for new networks and progressive improvement of the stormwater network. Consequently, there will be a flow on effect for new development to meet these requirements. As mentioned previously (Policies 73 & 79) the use of WSUD methods is not always practical nor wanted by some TA's.
	I seek the following decision from WRC (give precise details): →	The policies should recognise the topographical characteristic of new development areas where land-based WSUD methods are not practical to implement.


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 32, Schedule G & definition of 'biodiversity offset'	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 possibility of biodiversity offsets should not be limited to the lowest form of mitigation (i.e. after avoid, remedy & mitigate). In addition, the RMA allows activities that have minor effects on the environment. Therefore, there is not always a need to mitigate 'residual adverse effects' or to achieve a 'no net loss' outcome. Offsetting or environmental compensation should also be able to be considered as a positive effect in its own right.
	I seek the following decision from WRC (give precise details): →	The policy, definition and Schedule G should be amended such that biodiversity offsetting is possible without having to mitigate all residual adverse effects and to achieve a no net loss outcome.

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.

Proposed Natural Resources Plan:

Submitter:

**Alexander Webster**

Submitter Number:

**S274**



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



## INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

### Your details:

Full name: Alexander Haddon Webster

Company name:

Address1: 50 Bicknells rd RD1

Address2:

Address3:

Address4:

Town: Featherston

Postcode: 5771

Telephone Work:

Telephone Home: 63089552

Telephone Cell:

Email address: [a.webster@xtra.co.nz](mailto:a.webster@xtra.co.nz)

### Trade competition

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

could not 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)

do wish 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.]

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

Date: 12/10/2015



**Rules - Air quality**

**My submission on this provision is:**

**Reasons for my submission:**

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

<p>5.1.2 Rule R1</p>	<p>amend</p>	<p>Most of the GW area is affected by wind flow especially Wairarapa. If a fire outdoors or indoors for that matter is lit and the wind come up smoke is inevitably going to leave the property. If a fire is of reasonable size which many are burnoffs, tree trash etc would the fire service need to be called to extinguish the fire for no practical reason. I save up my fire lighting until the wood is dry and there is some wind to push oxygen through the fire to get better and faster combustion to create more heat less smoke and for the fire to burn quicker. the heat causes the smoke to rise and the wind to disperse it. Few fires are lit to deliberately annoy neighbours and there are solutions for this. Fire lighting can be an act of man, but wind is an act of God.</p>	<p></p>
<p>5.1.13 Rule R36 (G) iv</p>	<p>retain unchanged</p>	<p>i am certified Organic and i have notified all of my neighbours in writing</p>	<p>retain unchanged</p>
<p>5.3.8 Rule R89 (c) ii</p>	<p>amend</p>	<p>some farms may not be able to fit the criteria of silty or clay soils</p>	<p>(C) ii to read silty or clay soils where possible</p>
<p>5.3.8 Rule R91(C)</p>	<p>amend</p>	<p>some farms may not be able to fit the criteria of silty or clay soils</p>	<p>(C)to read silty or clay soils where possible</p>
<p>5.3.8 rule R91(d)</p>	<p>recognise</p>	<p>most cemeteries will not meet this rule</p>	<p>special exception</p>
<p>wetlands rule 106</p>	<p>amend</p>	<p>there is no mention about the creation of new wetlands that do not exist, or the restoration of old wetlands that are now dry</p>	<p>Permitted activity. Recognise and assist with restoration management plan</p>
<p>Rule R120 (C) (i)(ii)</p>	<p>amend</p>	<p>ridiculous amount 15m3 equals 2 truck loads in one year 50m3 equals 7 truck loads in one year</p>	<p>(i) 50m3 for an individuals needs or (ii)150m3 for use on the property on which the river bed occurs or up to 300m3 with the permission of the river operations manager</p>

rule R121 (g)

amend

the bucket is too descriptive, this type of bucket is not generally available and is made on special order and is only used by a few contractors it is inherently weak in design and needs constant repair and cannot be tilted. A standard wide bucket can be modified to do the same job

(G) if mechanically clearing aquatic vegetation the machinery must use a bucket which has adequate apertures for easy drainage of water and fish back into the drain

rule R121 (i)

amend

confusing , spreading sediment on adjoining land may mean that there is no chance for fish to reenter the water on their own.

sediment should be placed where possible in a position that allows for fish to reenter the water of there own accord

rule R121(j)(i)

oppose

if a drain is only as wide as a bucket how can you clean only one side. To clean a drain of this dimension by trying to do only one side will mean that the wall of the drain will be widened to try to clean only one side unworkable rule for small drains and will do damage to drain banks

unworkable rule for small drains delete.

Rule R121(k)

oppose

this rule should be deleted does not make sense. if you clean a stream going up stream you can see what you are doing, be more efficient in removing sediment and fish can move up stream as you work in to clean water

delete this rule as it does not make sense

rule R122 (h)

amend

if a drain is only as wide as a bucket how can you clean only one side. To clean a drain of this dimension by trying to do only one side will mean that the wall of the drain will be widened to try to clean only one side unworkable rule for small drains and

see amendment to rule R121(G) above

Wetlands rule 104

amend

allow the use of machinery in wetlands, if things like crack willow get established there will be limited ways that this can be managed, some wetlands may need channel restoration

allow machinery

rule 94

amend

a waste of land effectively closing up effective farm land and will become a repository for noxious weeds

cultivation should not occur within 2 m of a water body. This does not include ponded rainwater



**rule 95**

breakfeeding is a term where paddocks are cut up to better utilise the available feed I am an organic farmer I cut my paddocks in 1/4, 1/3 1/2 everyday. Reducing this on all of my paddocks where there are waterways by 5m will effectively permanently reduce the size of my farm. Thereby reducing my ability to feed my stock. leave me with an area which will fill up with weeds which I will not be able to spray. I believe this is council trying to use a backdoor way the move all riparian fencing out to 5m.

break feeding should not occur within 2m of a surface water body. This does not include ponded rain water.

**rule 83**

**amend**

I have been informed that existing ponds cannot be retro fitted at the end of the current effluent consent the land holder will have 2 years to install lined ponds. When the new criteria are met the consent period will be 20 years

considerable cost.



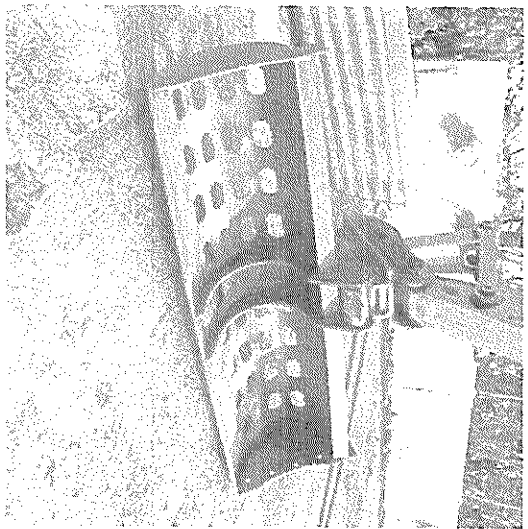








0000097\_Weed Bucket\_300.jpeg (JPEG Image, 300 x 300 pixels)



[http://www.hiceways.co.nz/content/images/thumbs/0000097\\_Weed Bucket\\_300.jpeg](http://www.hiceways.co.nz/content/images/thumbs/0000097_Weed Bucket_300.jpeg)





**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



**greaterWELLINGTON**  
 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: A H & A C WEBSTER

Organisation name:  
 (If applicable)

Address for Service: 50 Bicknells Rd Rd 1 Featherston

---

Telephone no's: Work: Home: 063089552 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: a.awebster@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: <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:**

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): →	

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: AH Webster Date: 13-10-2015

[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**

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.

#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

GRAND OPENING  
WELLINGTON REGIONAL COUNCIL

**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: lvol1@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.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: →	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:



Date:

20/10/2015

[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

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.  
21<sup>st</sup> October 2015

Wellington Regional Council  
Wellington

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**

Provision	Text	Support/ Oppose/ Amend	Reasons	Relief sought
<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 Category A groundwater is considered to be surface water allocation.</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). Category B groundwater (directly connected) 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 category B groundwater (directly connected) is considered to be surface water allocation.</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). Category B groundwater (not directly connected) 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 category B groundwater (not directly connected) is considered to be groundwater allocation.</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>amend</p>	<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>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>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>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>groundwater directly connected to surface water regionally significant infrastructure*</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>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>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>Unused 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>Water race networks are vital community assets as are the many investments farmers and orchardists have made to use water</p>	<p>Add after treatment plants ... water race networks and facilities for the irrigation of pasture and crops</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>retain</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 groundwater irectly connected o surface water</p>	<p>improved over time to meet that objective.</p> <p>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>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</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.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and <del>maximised</del> the amount is increased 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</b> or <b>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 sub-catchment.</p>			
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of <b>wastewater and 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>retain</p>	<p>Add <u>diffuse contaminants to (b)</u></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>Policy P107: framework for taking and using water</p>	<p>efficient allocation and use of water.</p>	<p>amend</p>	<p>The framework for the take and use of water recognises:</p> <p>(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and</p> <p>(b) the take and use of water does not exceed allocation amounts provided for in the Plan, and</p> <p>(c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>(a) <u>the groundwater connectivity described in schedule P needs verifying and GW have a significant part to play in establishing the evidence</u></p> <p><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>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt.</p> <p>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>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 <u>whaitua</u> chapters (chapters 7-</p>	<p>Amend</p>	<p>Policy 111 (water takes at minimum flows and water levels)(c) and 115 (authorising</p>	<p><u>Category A groundwater which shall be required to reduce take by 50% of the amount consented</u></p>

<p>flows and water levels</p> <p>)</p> <p>Policy P115: authorising takes below minimum flows and lake levels</p> <p>(d) and (c) i</p>	<p>11), with the exception that water is available below <b>minimum flows</b>:</p> <p>(c) as authorised by resource consents in accordance with Policy P108.</p> <p>(d) <b>category A groundwater</b> which shall be required to reduce the take by 50% of the amount consented above <b>minimum flows</b>, and</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:</p> <p>(i) the water shall only be available five days (120 hours) after <b>minimum</b> flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</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>As above</p> <p>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>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>above minimum flows following a period of 10 days of continuous river levels at minimum flow</p> <p>As above</p> <p>Delete (c) (i)</p>
	<p>Amend</p> <p>oppose</p>		

Policy P116: Reallocating water	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 <i>whaitua</i> chapters of the Plan (chapters 7, 8 and 10) is exceeded.	Support	Retain	
Policy P117: Supplementary allocation amounts at flows above the median flow	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.	support	retain	
Policy P118: Reasonable and efficient use	The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:  (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	amend	The investment in infrastructure is considerable and time is required to implement changes	(a) while existing users replacing existing resource consents have a period of 4 years from the date of the plan being made-operative <u>renewal of consent to meet the criteria</u> "

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent may be re-allocated to the same user when the existing resource consent is replaced, or the abstraction rate is changed, only if the consent holder can demonstrate how the unused water will be used within four years, including by means of:</p> <ul style="list-style-type: none"> <li>(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>	<p>Support</p>	<p>Retain</p>
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: transfer of resource consents</p>	<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>	<p>Support</p>	<p>retain</p>

	<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>amend</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>(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>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>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>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 – ontrolled 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>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>retain</p>	<p>retain</p>
<p>Other methods</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 <u>economic values</u> 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>

	<p>implementation of policies which rely on good management practice to achieve desired environmental outcomes.</p>		<p>positive move which will have farmers moving forward in their practices with the reg. council??</p>	
<p><u>tuamahanga</u> <u>Whaitua</u> Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>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.</p>	<p>amend</p>	<p>Important that the effects are measured, not just modelled.</p>	<p>Insert after - adverse effects – <u>that are measured</u> on aquatic ...</p>
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	<p>Oppose</p>	<p>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</p>	<p><u>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</u></p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	<p>Oppose</p>	<p>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.</p>	<p><u>Change the allocation amounts to what is currently allocated or more if spare water has been identified</u></p>

<p><u>chedules</u></p> <p>chedule P: assifying and anaging oundwater and urface water nnectivity</p>		oppose	<p>Needs empirical calibration by GW</p> <p>The connectivity between various ground water takes and surface water has not been verified and amongst the users there is significant doubt.</p> <p>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>chedule Q: easonable and fficient use criteria</p>	<p>Irrigation</p> <p>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:</p> <p>(a) an irrigation application efficiency of 80%, and</p> <p>(b) demand conditions that occur in nine out of 10 years.</p>	Amend	<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.</p> <p>Wairarapa conditions differ from the rest of the country. This needs to be recognised.</p> <p>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 <del>the model must reliably predict annual irrigation volume within an accuracy of 15%</del></p> <p>Add after field validated model – for <u>Wairarapa conditions</u></p> <p>(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 acknowledging  However more and more appropriate management points e.g. further south of Waihenga are required. GW 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 GW 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:

**Forest Enterprises Growth Ltd**

Submitter Number:

**S275**





5275

#1529104

Wellington Regional Council  
25 SEP 2015

**Mark Sutherland**

**From:** Regional Plan  
**Sent:** Friday, 25 September 2015 5:03 p.m.  
**To:** Records  
**Subject:** FW: Submissions Spreadsheet FEG.xlsx  
**Attachments:** Submissions Spreadsheet FEG.xlsx

Please process

**From:** Malte Coulmann, Forest Enterprises Ltd [<mailto:MCoulmann@forestenterprises.co.nz>]  
**Sent:** Friday, 25 September 2015 4:58 p.m.  
**To:** Regional Plan  
**Subject:** Submissions Spreadsheet FEG.xlsx

Good Afternoon,

Please see introduction below and attached submission spreadsheet on GWRC Proposed Natural Resources Plan.

## Introduction

Forest Enterprises Growth Limited's (FEG) business is the co-ordination and on-going forest management of *Pinus radiata* forestry investments. Forest Enterprises has 73 forests under its management, covering over 21,500 hectares. More than 6,400 investors are in forestry investment schemes promoted or otherwise managed by the company.

FEG currently manages a harvesting programme comprising around 300,000 tonnes of logs per annum harvested from 500 hectares. This equates to roughly 10500 logging truck movements per annum. Each logging truck movement out of the forest injects \$3,000 into the economy. Product from the forest is sent to domestic mills in Masterton, Featherston, Dannevirke & Napier with the balance exported through the Port of Wellington.

The FEG harvesting programme is expected to increase from its current level of 300,000 tonnes per annum to over 500,000 tonnes (800-900 hectares) per annum within 5 years.

*FEG appreciate the constructive relationship with council throughout the Regional Plan Review process to date, and look forward to it continuing. FEG would welcome the opportunity to discuss this feedback further with council staff.*

Kind regards,

Malte

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



## INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

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### 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:  
No 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.  
No 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).]  
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**

**Erosion prone land**

current definition of erosion prone land has been working well, acknowledging the two distinctly different soil environments of the region being the Tararua and foothills, and the eastern hill country. This differentiation should be maintained with two slope thresholds 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'.



**Policies**

**My submission on this provision is:**

**Reasons for my submission:**

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

**Policy P7: Uses of land and water**

Amend

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. The value of Forestry as a major contributor to the regional economy needs to be recognised. Forestry should be included as a beneficial use of land and water resources





**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**

Low tolerance for suspended solids that will be hard to measure.

Remove 1.50g/m<sup>3</sup> and ii. 100g/m<sup>3</sup> tolerances and concentrate on zone of reasonable mixing



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 to 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 details):**

Beds of lakes and rivers general conditions

Not stated

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.

Rule R122: Removing vegetation – permitted activity

Not stated

Not practical for forest harvest operations to adhere to these conditions without encouraging adverse environmental impacts through large quantities 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.

We want to exclude plantation forestry from Rule 122, subsection K.



Proposed Natural Resources Plan:

Submitter:

**Holcim (New Zealand) Ltd**

Submitter Number:

**S276**

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: Holcime (New Zealand) Ltd (Attn: Nicky Hogarth)

Organisation name:  
(if applicable)

Address for Service: P O Box 6040, Christchurch

Telephone no's: Work: 03 339 7582 Home: Cell:

Contact person: Nicky Hogarth

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: nicky.hogarth@holcim.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

Holcim began its involvement in the New Zealand building industry in 1888, when the Milburn Lime and Cement Company was incorporated in Otago. Today, Holcim employs over 400 people across a number of operating sites in New Zealand manufacturing cement, lime, and aggregates. In addition, it operates two ships and a fleet of rail and road tankers.

In the Wellington region, Holcim operates the Kiwi Point Quarry and the bulk cement silos at the port. Quarrying as an industry involves water takes, dewatering of quarry pits, modifications to natural streams and the discharge of stormwater.



A sustained supply of minerals and aggregate is essential for the continued development of the Region to enable people and communities to provide for their social, economic and cultural well being. Aggregate will not only be required to provide for building, construction and roading projects (including roads of national importance) associated with growth, but also to maintain and redevelop existing infrastructure.

The former Ministry for Economic Development recorded statistics for the production of minerals in the Region. The Region is a significant producer of aggregates, with 2.48 million tonnes produced for roading, construction and building in 2005 and 1.87 million tonnes in 2010. Aggregate is a resource that needs to be sourced and used locally, particularly because of the costs associated with its transportation.

The Regional Policy Statement (RPS) include specific objectives and policies that need to be given effect to in reviewing a Regional Plan. To give effect to the above, the submitter considers that its important for the Regional Plan to recognise:

- i. the benefits and positive effects for communities from the supply and use of aggregates;
- ii. the need to safeguard and enhance opportunities to extract aggregates;
- iii. that objectives and policies need to be focused on outcomes, providing certainty for everyone as to what is foreseeable and expected;
- iv. that aggregate resources are in fixed locations and that access to quality and economically extractable aggregate is a priority to support community wellbeing;
- v. that aggregates resources need to be mapped in the regional plan;
- vi. that aggregate resources and extraction sites need to be protected from new sensitive activities; and
- vii. that cleanfill activities are an integral component of the quarries' operation and remediation activities.

The submitter considers that to achieve the purpose of the Act and give effect to the RPS, the Regional Plan should be amended to:

- Ensure that activities requiring resource consent default to restricted discretionary activities, and that discretions and assessment criteria are identified. There is no need to establish discretionary activity status when the expected outcomes are well stated in the policies and the matters of assessment can be identified;
- Ensure that tailored rules provide for the operational aspects of quarries and cleanfills, avoiding general and catch all approaches;
- Ensure that reverse sensitivity effects from sensitive activities are managed in proximity to regionally significant quarries.

The point-by-point submissions below largely seek to address the policy gap in the documentation relating to aggregate supplies and the activity of cleanfilling, both of which will require numerous regional consents (reconsenting and additional consents) for existing and future activities to meet the region's needs. In the absence of policy recognition of the fundamental importance of such activities to communities for their social and economic wellbeing, it will be difficult for providers to meet the region's needs for such resources at reasonable cost, with flow-on effects into the sustainable management of the Region's physical resources.

The detailed reasons for the submitter's position are set out below. However, at a general level, for the provisions of the proposed Plan that the submitter supports, those provisions:

- (a) will promote sustainable management of resources, achieve the purpose of the RMA and are not contrary to Part 2 and other provisions of the RMA;
- (b) will enable the social, economic and cultural well-being of the community in the region;
- (c) will meet the reasonably foreseeable needs of future generations; and
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

For those provisions of the proposed Regional Plan that the submitter opposes, those provisions require amendment, as sought below. This is because, without the amendments proposed by the submitter, the provisions:

- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- (b) will not enable the social and economic wellbeing of the community in the region;

- (c) will not sustain the potential of the physical resource represented by the submitter's assets in the region for the future;
- (d) are not adequate to protect and enable the submitter's operations in the region generally;
- (e) do not have sufficient regard to the efficient use and development of the submitter's assets and of those resources which are dependent on, or benefit from, the submitter's assets and operations; and
- (f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

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 2.2 – Definitions Definition of "Cleanfill material"	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: →	<p>The definition is too limiting in that:</p> <p>a) it does not allow for small components of organic material that may be found in soils or clay and which cannot be separated out</p> <p>b) it does not provide for wet materials that are excavated by means of wet excavation (hydro materials) and therefore contain waste liquids.</p> <p>These matters are acknowledged as issues with the MfE definition by other regions and have been addressed by second generation resource management plans.</p>
	I seek the following decision from WRC (give precise details): →	<p>Modify the definition so that it:</p> <p>a) provides for a small proportion of organic material (say 5% by truckload) in soils and clays and material that is otherwise cleanfill</p> <p>b) clearly excludes wet wastes such as hydro excavated soil material from item (e) in the definition.</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):  Section 2.2 – Definitions Definition of "Regionally significant infrastructure"	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: →	<p>There are a number of policy areas in the Proposed Plan which would assist with the establishment, operation, maintenance and replacement of the items listed. Quarry activities, particularly hard rock quarries, will face extreme policy difficulties unless specific policy recognition is provided for them. A modification to the definition is one way of achieving the policy recognition which is the basis for Holcim's submission.</p> <p>The comment equally applies to the region's major landfills and cleanfill facilities.</p>
	I seek the following decision from WRC (give precise details): →	<ul style="list-style-type: none"> <li>• Add either a generic bullet-point which refers to quarries which serve regional or sub-regional areas, or specifically list the hard rock quarries which serve the region's main urban areas.</li> <li>• Add either a generic bullet-point which refers to landfills and cleanfills which serve regional or sub-regional areas, or specifically list these facilities.</li> </ul>

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):  Objective O6  Objective O8	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: →	Water management is important to the ongoing management of quarries and the access to resources. Diversion of streams, water takes and dewatering of quarry pits are essential to the continued extraction of aggregate resources essential for the provision of infrastructure and construction.
	I seek the following decision from WRC (give precise details): →	<ul style="list-style-type: none"> <li>Retain Objectives O6 and O8 as proposed.</li> </ul>

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):  Objective O19	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>The term minimise is used extensively in the Proposed Plan. It is inconsistent with Section 5 RMA which requires activities to "avoid, remedy or mitigate". Item (a) and (c) in this policy are particularly opposed. Item (a) far exceeds the RMA's requirement to consider alternative locations or methods; item (e) may have unforeseen consequences by concentrating adverse effects; and the construction of the policy requires that all items, plus more, be considered.</p> <p>Quarries must significantly alter landscapes, natural processes and landforms to provide recognised benefits to the region's communities. Many adverse effects associated with quarries cannot be minimised, and over the life time of a quarry these may increase and are cumulative because the quarry pit becomes larger, requiring increased ground water takes and dewatering. In addition regional demand for aggregates will match growth rates, increasing production volumes and consequently water takes, discharges and modification of natural systems and landforms. The policy places an unacceptable barrier to regionally significant mineral extraction.</p>
	I seek the following decision from WRC (give precise details): →	Delete Objective O19, or otherwise amend the remove reference to minimise and rather apply "avoid, remedy or mitigate" in respect to adverse effects of 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):  Objective 039  Objective 041	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: →	It provides the appropriate balance in the management of dust.
	I seek the following decision from WRC (give precise details): →	<ul style="list-style-type: none"> <li>Retain Objectives 039 and 041 as proposed.</li> </ul>

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>Objective O44</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 checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>The term minimise is used extensively in the Proposed Plan. It is inconsistent with Section 5 RMA which requires activities to "avoid, remedy or mitigate". Item (a) and (c) in this policy are particularly opposed. Item (a) far exceeds the RMA's requirement to consider alternative locations or methods; item (e) may have unforeseen consequences by concentrating adverse effects; and the construction of the policy requires that all items, plus more, be considered.</p> <p>Quarries must significantly alter landscapes, natural processes and landforms to provide recognised benefits to the region's communities. Many adverse effects associated with quarries cannot be minimised, and over the life time of a quarry these may increase and are cumulative because the quarry pit becomes larger, requiring increased ground water takes and dewatering. In addition regional demand for aggregates will match growth rates, increasing production volumes and consequently water takes, discharges and modification of natural systems and landforms. The policy places an unacceptable barrier to regionally significant mineral extraction.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Delete Objective O44, or otherwise amend the remove reference to minimise and rather apply "avoid, remedy or mitigate" in respect to adverse effects of activities.</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>Policy P4 Policy P26</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 checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
	<p>Reasons for my submission: →</p>	<p>The term minimise is used extensively in the Proposed Plan. It is inconsistent with Section 5 RMA which requires activities to "avoid, remedy or mitigate". Item (a) and (c) in this policy are particularly opposed. Item (a) far exceeds the RMA's requirement to consider alternative locations or methods; item (e) may have unforeseen consequences by concentrating adverse effects; and the construction of the policy requires that all items, plus more, be considered.</p> <p>Quarries must significantly alter landscapes, natural processes and landforms to provide recognised benefits to the region's communities. Many adverse effects associated with quarries cannot be minimised, and over the life time of a quarry these may increase and are cumulative because the quarry pit becomes larger, requiring increased ground water takes and dewatering. In addition regional demand for aggregates will match growth rates, increasing production volumes and consequently water takes, discharges and modification of natural systems and landforms. The policy places an unacceptable barrier to regionally significant mineral extraction.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>Should the term remain in the Proposed Plan, remove items (a) and (e) from Policy P4 and change all "ands" to "ors". To assist the interpretation of this policy, a definition of "Practicable"</p>

		should be added, in Section 2 of the Proposed Plan. Remove reference to minimise in P4 and P26 and rather apply "avoid, remedy or mitigate" in respect to adverse effects of activities.
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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 P7</b> <b>Beneficial use and development</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: →	Item (g) is generally supported because it provides for part of the Region's aggregate needs. However, the use of land for other aggregate supplies (including hard rock quarrying and land-based gravel extraction) should be recognised, as should the use of land for cleanfills and landfills. At present the Proposed Plan does not give effect to the RPS in this respect.  Similarly the RPS recognises the need to protect such resources for the future, so reverse sensitivity is a key consideration.
	I seek the following decision from WRC (give precise details): →	Retain item (g) but add a reference to other mineral /aggregate materials. Provide new items to address the matters referred to above and earlier in the submission in respect to the introduction of matters of concern to the submitter.  Alternatively such provision could be made within the suite of policy provisions in Policy P12 to P14.

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>Section 4.2</b> <b>New policies</b> <b>Beneficial use and development</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 submitter seeks new policies after P7 to give effect to Objective 31 and Policy 60 of the RPS and the matters outlined in this submission.
	I seek the following decision from WRC (give precise details): →	Insert new policies  <i><u>PXX To achieve social, economic and environmental benefits from the region's mineral resources, enable regionally significant mineral extraction activities, and associated water takes, use and discharges, along with the remediation of quarries using cleanfill, provided that the significant adverse effects of these activities can be avoided, remedied or mitigated.</u></i>  <i><u>PXX Regionally significant mineral resources and mineral extraction activities shall be protected from new incompatible use and development occurring within or adjacent to them.</u></i>

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 P58</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: →	It provides the appropriate balance in the management of dust.
	I seek the following	<ul style="list-style-type: none"> <li>• Retain Policy P58 as proposed.</li> </ul>

	decision from WRC (give precise 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):  Rules R27 and R28 Air quality rules	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: →	The rules provide for activities that are undertaken by the submitter and the permitted activity status is supported.
	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):  Rule R41 Air discharge default rule	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: →	The default status of fully discretionary for activities which do not meet standards or are not provided for in rules, is opposed. The relevant matters of discretion and assessment can be identified and therefore restricted discretionary activity status for infringements of performance standards is appropriate. Full discretionary activity status is not efficient or effective.
	I seek the following decision from WRC (give precise details): →	Amend R41 to establish that infringements of permitted activity performance standards are a restricted discretionary activity, and insert appropriate matters of discretion and assessment criteria.

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 R53 Stormwater discharge default rule	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: →	The default status of fully discretionary for activities which do not meet standards or are not provided for in rules, is opposed. The relevant matters of discretion and assessment can be identified and therefore restricted discretionary activity status for infringements of performance standards is appropriate. Full discretionary activity status is not efficient or effective.
	I seek the following decision from WRC (give precise details): →	Amend R53 to establish that infringements of permitted activity performance standards are a restricted discretionary activity, and insert appropriate matters of discretion and assessment criteria.

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 Cleanfill Rule R93	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: →	The submitter considers that discharges from cleanfill activity exceeding the permitted activity performance standards should be controlled activities. This is because it is inappropriate to apply a discretionary activity status to activities which by definition do not have adverse effects on people and the

		environment. Cleanfill activities are a necessary requirement to support infrastructure and development, and with thresholds for permitted activity status being applied as low as 100 m3, it is appropriate to tailor specific matters of control and assessment to this activity.
	I seek the following decision from WRC (give precise details): →	Retain Rule R70 and insert a new default for a controlled activity resource consent for any infringements of the performance standards in R70. The appropriate matters of control and assessment can be identified and should included in the Regional 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):  Rule R99 Rule R101 Default rule for earthworks and vegetation clearance	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 matters of discretion and assessment can be identified for the default rule to be a restricted discretionary activity. It is unnecessary and inappropriate to apply a full discretionary resource consent for earthworks and vegetation removal.
	I seek the following decision from WRC (give precise details): →	Amend the default rule R101 so that it is a restricted discretionary activity and insert appropriate matters of discretion and assessment criteria.

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 5.5 <b>Wetlands and Beds of Lakes, Rivers Rules</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 submitter notes that the Auckland Unitary Plan (regional plan rules) has proposed specific rules for quarry zones that provides for works within the beds of rivers and streams, including diversion as a restricted discretionary activity. This is because it is recognised that in order to extract regionally significant aggregate resources the flow of water needs to be diverted to allow quarries to become wider and deeper.
	I seek the following decision from WRC (give precise details): →	The submitter seeks that a similar approach be adopted by the Wellington Regional Plan, allowing a restricted discretionary activity for works within rivers/streams associated with regionally significant mineral extraction activities and sites, with appropriate matters of discretion and assessment criteria identified.

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 5.6 <b>Water Allocation</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: →	Quarries utilise water takes for production processes and for the dewatering of quarry pits. Without these processes, aggregate will not be available for use in infrastructure, building and construction. Therefore, to give effect to Objective 31 and Policy 60 of the RPS the submitter considers that Council needs to provide for a specific restricted discretionary activity rule for regionally significant quarries that infringe the permitted activity controls. This recognises the regional significance of mineral extraction activities and the communities dependence on a

		sustained supply of aggregates. The submitter opposes the discretionary activity status default for non-compliances with rules. It considers that the Council can establish restricted discretionary activity rules, identify the matters of discretion and assessment criteria, and in particular establish rules specific to quarries.
	I seek the following decision from WRC (give precise details): →	A restricted discretionary activity for water takes and dewatering associated with regionally significant mineral extraction activities and sites, with appropriate matters of discretion and assessment criteria identified.

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 Reclamation of beds of rivers	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: →	This non-complying status of this activity, in the absence of any policy which would support quarry and cleanfill activities, will mean that consents, even high in catchment and modified areas would be very difficult (if not technically impossible) to achieve.
	I seek the following decision from WRC (give precise details): →	Delete (a) from Rule R127. This would allow for steam piping activities to be considered as discretionary activities under Rules R129 and R135 (accepting that diversion would be involved).

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):  Regional Plan Maps relating to the Kiwi Point Quarry	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 streams identified on the Proposed Regional Plan Maps do not reflect the extent and nature of streams within the quarry, some of which have been removed or relocated as part of the quarrying activities.
	I seek the following decision from WRC (give precise details): →	Amend and delete streams from within the Kiwi Point Quarry.

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):  Regional Plan Maps	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: →	Method 52 of the Regional Policy Statement seeks the identification of regionally significant quarries and mineral resources.
	I seek the following decision from WRC (give precise details): →	Amend the Maps to identify the regionally significant quarries and mineral resources.

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

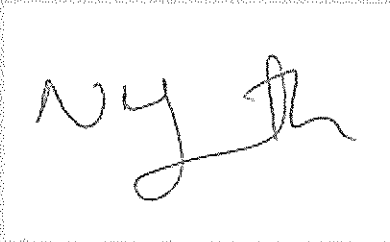
The specific provision of the Proposed Natural Resources Plan that my submission relates to is (please specify the provision/ section number):	My submission on this provision is: →	<input type="checkbox"/> I <b>support</b> the provision <input type="checkbox"/> I <b>oppose</b> the provision <input checked="" type="checkbox"/> I wish to have the specific provision <b>amended</b>
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section number):  General submission – Alternative relief	Reasons for my submission: →	The submission form has been designed in a way that is inflexible.
	I seek the following decision from WRC (give precise details): →	The submitter seeks the following decision: (a) that the proposed provisions be amended to address the concerns set out in this submission so as to provide for the sustainable management of the region's natural and physical resources and thereby achieve the purpose of the RMA. (b) any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission. There may be other methods or relief that are able to address the submitter's concerns, and the suggested revisions do not limit the generality of the reasons for this submission.

**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: 24/09/15 .....

[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.



Proposed Natural Resources Plan:

Submitter:

**Wellington Chamber of Commerce**

Submitter Number:

**S277**





**Wellington Chamber of Commerce  
Submission to Greater Wellington Regional Council  
Proposed Natural Resources Plan for the Wellington Region**

**September 2015**

**Introduction**

The Wellington Chamber of Commerce ('the Chamber'), represents around 1,500 businesses in the Wellington Region. The Wellington Chamber of Commerce has been the voice of business in the Wellington region since 1856 and advocates policies that reflect the interest of Wellington's business community, and the development of the Wellington economy as a whole.

Through our organisation's three membership brands, the Wellington Chamber of Commerce, Business Central and ExportNZ, our organisation represents around 3,000 businesses across the central New Zealand. Our organisation is one of the four regional associations that make up the Business New Zealand family and is also accredited through the New Zealand Chambers of Commerce network.

The Chamber welcomes this second opportunity from the Greater Wellington Regional Council ('GWRC') to make this submission on the Proposed Natural Resources Plan for the Wellington Region ('the Plan'), following on from the previous draft document. The Chamber has chosen to comment on specific sections of the document and has no comment on sections of the document which are not present in this submission.

**Summary of the Natural Resources Plan**

The Plan is a combined regional air, land, water and coastal plan and is the primary document through which the Greater Wellington Regional Council will meet its obligations under the Resource Management Act 1991. The Plan sets out 59 objectives, 151 policies, 219 rules and 28 methods for people and organisations that use the region's resources for a variety of purposes. The Plan's rules will be legally binding, as regulations in statute. These rules will determine whether a person needs to apply for resource consent; whether the proposed activity can be undertaken without need for resource consent (called permitted activities); or whether activities are prohibited. An activity must comply with all relevant rules in the Plan.

This particular Plan comes as a result of a mandatory 10 yearly review of the current Regional Plans, and consolidates the existing five regional plans into one (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil

Plan). The Chamber applauds this effort to streamline governing documents which will improve their accessibility and clarify their functionality.

The Chamber recognises the Plan must give effect to the Resource Management Act 1991, along with National and Regional policy statements.

### **Chamber Comment**

The Chamber supports the purpose of the Plan which is to ensure regional natural resources are managed in a balanced way in accordance with the statutory framework of the Resource Management Act 1991. Efficient and careful management of our regions' natural resources is beneficial to our economy. The Chamber promotes policy which ensures an economic environment which encourages development and improvement for the region. The Chamber comments in relation to "regionally significant infrastructure" as defined in the Plan, and comments on the holistic implementation style of the Plan.

Regional development is critical for the success of our region. Recent BERL reports show that in the ten years to 2013 the Wellington region performed worse than the national economy on key indicators and just better on one. Wellington is home to 11 per cent of New Zealand's population, yet our regional GDP growth has been just 1.5% compared to the national average of 2.1%. It would be fair to say the region's performance is mixed. Amongst other considerations, the lack of purpose-built 21st century infrastructure is holding our city and region back. Greater Wellington Regional Council has a duty to ensure that the plan and processes which govern development activity support rather than hinder progress. We have got to ensure we have the right infrastructure to meet today's demands and grow the region for the future.

#### *"Regionally Significant Infrastructure"*

The Chamber generally supports the substantive objectives, policies and rules within the proposed Plan. The correct balance needs to be struck between environmental protection, and the facilitation of development to further our regional economy. The Plan, in substance, recognises both interests.

The Chamber is pleased with the Plan's recognition of "regionally significant infrastructure". The Plan's permissiveness of key infrastructure is crucial to enable the region to develop. "Regionally Significant Infrastructure" is defined in the Plan as:

- *pipelines for the distribution or transmission of natural or manufactured gas or petroleum*
- *strategic facilities to the telecommunication network, as defined in section 5 of the Telecommunications Act 2001*
- *strategic facilities to the radio communications network, as defined in section 2(1) of the Radio Communications Act 1989*
- *the national electricity grid*
- *facilities for the generation and transmission of electricity where it is supplied to the electricity distribution network, including the national grid*
- *the local authority water supply network and water treatments plants*

- *the local authority wastewater and storm water networks, systems and waste water treatment plants*
- *the Strategic Transport Network*
- *Wellington City bus terminal and Wellington Railway Station terminus*
- *Wellington International Airport*
- *Masterton Hood Aerodrome*
- *Paraparaumu Airport*
- *Commercial Port Area within Wellington Harbour (Port Nicholson) and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharf lines.*

The Chamber is pleased that where explicit permission is not provided, the Plan provides reasonable exceptions to its environmental policies, which will allow for economic development.

#### *Comments on objectives*

- Objective O12 provides that *“social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.”*
  - The Chamber is pleased these benefits of regionally significant infrastructure are recognised. However, we would note that comparative to the wording of other objectives in this section that the use of the word ‘recognition’ is nuanced, and given less emphasis than other objectives which use wording such as “maintained”, “enhanced” and “provided for”. We recommend strengthened wording to support this objective.
- Objective O13 provides *“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.”*
  - The Chamber is pleased that protection from incompatible benefits regionally significant infrastructure. We would question whether this policy limits new use and development by the current managers of the regionally significant infrastructure but note that it enables new compatible use and development.

#### *Comments on policies*

- Policy P12 provides that the benefits of regionally significant infrastructure and renewable energy generation activities are recognised by having regard to:
  - (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.
  - The Chamber is pleased that this policy is pragmatic, and recognises the importance of benefit for regionally significant infrastructure.
- Policy P13 provides that the use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.
  - The Chamber is pleased with recognition of benefits here and this should act as encouragement for regional infrastructural development. We would question what kind of discretion is attached to the term “generally appropriate”, especially where new activity is considered compatible.
- Policy P14 provides that 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.
  - The Chamber is pleased that protection from incompatible is rewarded to regionally significant infrastructure. We would question whether this policy limits new use and development by the current managers of the regionally significant infrastructure, especially where new activity is considered compatible.
- Policy P58: Industrial discharges Industrial point source discharges and fugitive emissions into air will be minimised by using good management practices.
  - Chamber supports.
- Policy P102 provides that the reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided except where the reclamation or drainage is: (b) associated with a qualifying development within a special housing area, or (d) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure.
  - The Chamber is supportive of these exceptions.
- Policy P137 provides exception for airport height restrictions if the structure is required for airport purposes, and P138 provides that 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: it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and there are no practicable alternative methods of providing for the activity.
  - The Chamber is pleased with this exception, but questions the definition of “no practicable alternative”.
- Policy P139 provides the construction of a new seawall is inappropriate except where the seawall is required to protect: (a) existing, or upgrades to, infrastructure or (b) new regionally significant infrastructure.

- The Chamber is pleased with this exception, but questions the rationale of (c)-(e), in particular the definition of “no practicable alternative”, and the need to specify (d).
- Policy P142: Lambton Harbour Area Use and development of the Lambton Harbour Area may be appropriate if the use and development: (a) provides for a range of activities appropriate to the harbour/city interface, and (b) is compatible with the urban form of the city, and (c) recognises the historic heritage character, development and associations of the area, and (d) does not detract from the amenity of the area, and (e) recognises that the Lambton Harbour Area is adjacent to the Commercial Port Area, which is a working port
  - Chamber supports these uses for development activity.
- Policy P143 provides that 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: it is necessary to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure and there are no practicable alternative methods of providing for the activity.
  - The Chamber is pleased with this exception, but questions the definition of “no practicable alternative”.
- Policy P144 provides that 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: it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and there are no practicable alternative methods of providing for the activity.
  - The Chamber is pleased with this exception, but questions the definition of “no practicable alternative”.
- Policy P147: Motor vehicles on the foreshore District and city councils may restrict the use of motor vehicles on the foreshore, with the exception of vehicles associated with (d) the development, operation, maintenance and upgrade of regionally significant infrastructure.
  - The Chamber is supportive of these exceptions.
- Policy P148: Motor vehicles in sites with significant value The use of motor vehicles on the foreshore in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or regionally significant infrastructure purposes.
  - The Chamber is supportive of these exceptions.

*Comments on rules*

- Rule 214 provides that 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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:

- (a) occupation of space in the common marine and coastal area, and
- (b) destruction of the foreshore or seabed, and
- (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
  - The Chamber would question the process regarding a discretionary activity.

The Chamber strongly supports the permissiveness given to regionally significant infrastructure which prevents the unreasonable restriction on particular developments. This places greater emphasis on economic factors where appropriate and ensures the regions' infrastructure and resilience is adequately supported. We would request clarity of some terms used as commented above.

*Strengthening of objectives for fairer balancing exercise*

The Chamber notes that the Plan is to be interpreted by holistically balancing the objectives and policies. This means that in deciding whether an activity is appropriate, it must be assessed in light of the overall scheme of the Plan, and whether it provides for the achievement of the environment outcomes sought for the Wellington region. While providing specific permission to "regionally significant infrastructure", the Chamber is concerned that these commercially economic focuses may be outweighed by the holistic approach interpreters are required to consider.

The nature of the Plan means there are more environmentally focused objectives and policies, with economic factors being considered as exceptions or secondary. The Chamber is concerned the current approach may mean environmental factors consistently outweigh economic development factors, because environmental factors have more presence in number and substance in the Plan. This, at times, may be adverse to the wider economic development of the region.

The Plan, having expressly recognised the benefits of furthering the region economically, must be able to sufficiently provide for the benefits of furthering the region economically. The Chamber accepts a balancing exercise must take place, however, the objectives targeted at economic development could be strengthened to ensure all material factors are given appropriate weight. Businesses anticipating projects will have increased confidence of success where the determination process under the Plan is fair and all material factors are given the appropriate weight.

In the Chamber's earlier submission on the Draft Natural Resources Plan, we emphasised the importance of appropriate weight being given to factors materially impacting on economic development. The Chamber proposed strengthening of the objectives and policies relating to economic development with the view that this would create a fairer balancing exercise and provide greater clarity to businesses which will assist them to comply with the Plan, and increase their business confidence.

The Chamber was particularly supportive of the insertion of an explicit objective which would provide for the development and growth of Regionally Significant Infrastructure. While we recognise no clear objective has been implemented in this respect, we are satisfied with the inclusion of Regionally

Significant Infrastructure, subject to terms we have requested clarification on. In practise, we would encourage the administrators of this Plan to actively consider the possibility of imbalance when interpreting the Plan, and would encourage the administrators to ensure a fair and balanced process takes place.

### **Conclusion**

The Chamber commends the substance of the Proposed Natural Resources Plan. The content of the Plan recognises both environmental and commercially economic interests. The specific recognition of Regionally Significant Infrastructure is welcomed, however, the Chamber would caution the application of the Plan to ensure administrators implement and interpret the Plan in a fair and balanced way recognising the wider stakeholders of the community, and the importance of regional economic development.



Proposed Natural Resources Plan:

Submitter:

**Derek Neal**

Submitter Number:

**S278**



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Email [daneal@farmside.co.nz](mailto:daneal@farmside.co.nz)

15<sup>th</sup> October 2015

**RE: Combined Natural Resources Plan**

My background: Farming three properties north of Masterton, including two in the Wellington Regional Council area, one of which bounds both the Kopuaranga and Ruamahunga Rivers. Farm consultant work throughout the Wairarapa with leading farmers in sheep and beef, dairy and arable. This role affords an insight into the farming and resource issues in their businesses.

GWRC deserves credit for achieving substantial improvements to the plan. There are still two major areas of concern:

1/ Nutrient and Periphyton limits will have the most significant impact on farming.

It has been noted in Horizons that Periphyton levels have increased when the supposed driver, nutrient concentration, has decreased. This highlights the imperfect science with consequent flaws in modeling being used to set targets. More intensive measurement and improved science may in time give a better understanding of the cause/effect link, but in the present it is wasteful in resources to chase targets that may not be causing problems.

Logic would suggest incorporating the following into the plan:

- A) Set targets in bands to allow natural variability in measurements eg after major floods
- B) Study measurements to pick trends (up, down or stable) and prioritise resources to those trends.
- C) Review targets on a regular basis to ensure relevance to current science and incorporate mechanism in the plan to change those targets.

2/ Partnerships/Collaboration versus extensive rules.

Consultation, collaboration and working in partnership feature strongly in reviewing the Combined Natural Resources Plan.

It seems ironical that one branch of GWRC is currently seeking a long term resource consent to work on the river with focus on outcomes, with flexibility in river management to achieve those outcomes. At the same time the draft Combined Natural Resources Plan is plagued with unnecessary and detailed micro-management rules that indicate lack of trust of farmer management flexibility such as those pertaining to drain cleaning and culvert installation.

I suggest an audit of the rules section, using a trusting collaboration threshold, to weed out the micro-management rules that have minimal effect on water, land and air quality.

I would appreciate the opportunity to discuss my submission in person.

Regards,  
Derek Neal BAgSci 1<sup>st</sup> Class Hon





# 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: Derek Neal

Company name:

Address1: 1791 Whangaehu Valley Road, RD6

Address2:

Address3:

Address4:

Town: Masterton

Postcode: 5886

Telephone Work: 274435793

Telephone Home: 63725872

Telephone Cell: 274435793

Email address: [daneal@farmside.co.nz](mailto:daneal@farmside.co.nz)

### Trade competition

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

/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/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

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

Date: 8/10/2015



**Interpretation**

**My submission on this provision is:**

**Reasons for my submission:**

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

<p><b>Erosion prone land</b></p>	<p>Amend</p>	<p>Slope of land is too restrictive and does not take into account the underlying geology</p>	<p>Increase slope to 26 degrees and allow flexibility with perspective to underlying geology</p>
<p><b>Fertiliser</b></p>	<p>Amend</p>	<p>Current wording would include lime which is not a fertiliser</p>	<p>Exclude lime</p>
<p><b>Offal pit</b></p>	<p>Amend</p>	<p>Definition in first sentence is clear, second sentence is repetition and more like a rule</p>	<p>Delete "An offal pit should not contain farm refuse dump content."</p>
<p><b>Silage</b></p>	<p>Amend</p>	<p>Current definition would include baleage which has no seepage so should be excluded</p>	<p>Add in "Excludes baleage"</p>
<p><b>Stock crossing point</b></p>	<p>Amend</p>	<p>Definition does not need to include a set width. This is unnecessary and it was to be imposed, should be under the rules section.</p>	<p>Delete second sentence relating to width of stock crossing</p>
<p><b>Vegetation clearance</b></p>	<p>Amend</p>	<p>Should not include vegetation clearance by hand and should specify contiguous older canopy vegetation. It should not include scattered regrowth, the clearance of which is good farming practice.</p>	<p>Remove reference to hand clearance and insert a clause qualifying vegetation clearance to specify contiguous older canopy vegetation, not including scattered regrowth</p>



**Objectives**

**My submission on this provision is:**

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

**Objective O25: Aquatic ecosystem health and mahinga kai**

Amend

Targets are too restrictive when seeking a balance between a perfect scenario versus that which can be achieved under best farming practice. Measurements set at one figure in the table defies the reality of variation in scientific measurements and the importance of following trends rather than actual figures.

**Objective O30: Trout**

Amend

Trout are non-indigenous, and seeking specific objectives for a recreational group opens the door for equivalent requests from other river user groups such as kayakers, rafters, jet boaters. The target of this Natural Resources Plan is the water quality, not the end user group.



**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

Amend

P1 c). Significant financial resources will be utilised in achieving Amend clause P1 c) to include "...available information and the objectives that these policies are targeted at. Integrity in financial management requires cost/ benefit analysis to prioritise the spending on these policies and "with decisions based on best available information" is therefore too weak.

Policy P105: Protecting trout habitat

Amend

"Particular regard" suggests undue influence of lobby group. It is noted that there is no provision for rapids, pools, riffle habitat or other physical river flow characteristics for kayakers, rafters, jet boaters. This policy as worded has a higher degree of specification that that given under P33 for indigenous fish. In consistency with P33 delete the wording in P105 and amend with "The more than minor adverse effects of activities on trout habitat particularly at relevant spawning times should be avoided." Delete clause c "Maintain the amount of pool, run and riffle habitat, and"

Policy P68: Inappropriate discharges to water

Amend

Inconsistent application of justice with treatment of dischargers between untreated wastewater and other listed discharges. Either apply no exemptions or apply the exemption to all  
Apply the exemption given to untreated wastewater to all the listed discharges to water





**Rules - Discharges to land**

**My submission on this provision is:**

**Reasons for my submission:**

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

Rule R89: Farm refuse dumps – permitted activity

Amend  
Clause a) Current rule will force each property to have a rubbish dump. Sometimes it is unnecessary (particularly on smaller land blocks) or under current rules (water table issues, etc.) impossible to have a rubbish dump at each property. It is logical in these situations to transfer rubbish to another property for disposal. This also reduces duplication and unnecessary rubbish dumps. This rule appears to be targeted at urban disposal of rubbish in rural dumps to avoid fees. It is unintentionally creating extra costs for farming operators.

Amend clause a) with addition of "...or farm properties under the same ownership."

Rule R89: Farm refuse dumps – permitted activity

Oppose  
Clause c) (iii) Size, variety and smell of farm rubbish makes kerbside collection totally inappropriate. There is no logic to 20 kilometres radius from collection centres or transfer stations. Much of the rubbish generated on a farm would not be welcomed at a collection centre or transfer station and will unnecessarily add cost to farming businesses. Another detrimental side effect of this policy will be the further volume pressures on existing council rubbish dumps

Delete clause c) (iii)

Rule R89: Farm refuse dumps – permitted activity

Oppose  
Clause f) (ii) There is no benefit to the environment in duplicating offal and rubbish dumps compared to putting the contents in the same hole. This is unnecessary regulation, adding further costs with no benefit. This conflicts with the central government directive that regulations and consequent spending on those regulations must achieve a measureable benefit for society.

Delete clause f) (ii)

Rule R89: Farm refuse dumps – permitted activity

Oppose  
Clause g) No burning of rubbish dumps is unnecessary regulation. Burning of rubbish is a logical and time proven method to minimise rubbish dumps filling up prematurely and the consequent cost of establishing new ones. Paper, cardboard and wood are better burnt than left to the wind and burning also reduces vermin issues. Concern of the burning impact on neighbours is clearly covered elsewhere in this document.

Delete clause g)

Rule R91: Offal pit – permitted activity

Amend

Clause a) Current rule will force each property to have an offal pit. Sometimes it is unnecessary (particularly on smaller land blocks) or under current rules (water table issues, etc.) impossible to have an offal pit at each property. It appears that this policy is designed to stop the dumping of urban offal waste to farms but it has unintentionally stopped farmers of multiple blocks from transferring offal to their other farms for correct disposal. It necessitates duplication and costs.

Rule R91: Offal pit – permitted activity

Oppose

Clause f) There is no benefit to the environment from this clause in terms of water or land quality. It is an example of excessive regulation that adds costs and no benefit.

Delete clause f)

Rule R91: Offal pit – permitted activity

Oppose

Clause g) This rule imposes micromanagement on farmers and is an example of excessive rule making

Delete


**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**

**Oppose**

Clause a) Five metres is an excessive distance from a drain for cultivating and is another example of unnecessary micromanaging and rule making

**Rule R95: Break-feeding – permitted activity**

**Amend**

Clause a) Break feeding should be allowed to occur within two metres of a drain. Amend clause a) from 5 metres to two metres



**Rules - Wetlands and beds of lakes and rivers**

**My submission on this provision is:**

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

<p>Rule R114: River crossing structures – permitted activity</p>	<p>Amend</p>	<p>Clause g) The restriction to 20 metres squared is too restricted and totally impractical for bridges required for large mobs of stock. At four metres width this only gives a possible length of five metres.</p>	<p>Amend clause g) from 20 metres squared to 40 metres squared</p>
<p>Rule R115: Culverts – permitted activity</p>	<p>Oppose</p>	<p>Clause h) i) j) Culverts may be placed on low country near Lake Wairarapa or on steep hill country near the head waters of the Whangaeahu. Clearly the optimal placement requirements will vary with the site and their designed use. The rules as written are too prescriptive and not allowing flexibility to achieve the desired aims of each site. These rules need to be measured up against the partnership concept with land owners to maintain and improve water quality</p>	<p>Delete clauses h) i) j)</p>
<p>Rule R121: Maintenance of drains – permitted activity</p>	<p>Oppose</p>	<p>Clause g) Micromanagement rule that will have very limited benefit to the aquatic species in the drain</p>	<p>Delete clause g)</p>
<p>Rule R121: Maintenance of drains – permitted activity</p>	<p>Oppose</p>	<p>Clause j) Disbelief at the impracticality, negligible benefit and unnecessary extra cost imposed by this rule</p>	<p>Delete clause j)</p>









**Other methods**

**My submission on this provision is:**

**Reasons for my submission:**

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

**Method M23: Archaeological discovery protocols**

**Oppose**

The wording of M23 reads like a rule. Either rewrite as a

method or delete. If it is to be enacted this will require more focus to minimise unnecessary cost in situations where this is clearly irrelevant.

Delete or significantly rewrite.



Proposed Natural Resources Plan:

Submitter:

**Rangitane o Wairarapa Inc**

Submitter Number:

**S279**





RANGITĀNE  
TŪ MAI RĀ TRUST



Rangitāne o Wairarapa Inc.  
Mandated by Authority

Submission by

**Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Inc**

on the

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

**To:** Greater Wellington Regional Council  
P O Box 11 646  
Wellington 6142

**Submission from:** Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Inc

**Submission on:** Proposed Natural Resources Plan notified on 31 July 2015.

**Provisions the submission relates to:** The topics of submission, Rangitāne o Wairarapa's support or opposition and any relief sought are contained in detail on the following pages.

**Trade competition:** Pursuant to Clause 6 of Schedule 1 of the Resource Management Act (1991), Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Inc confirm that they could not gain an advantage in trade competition through this submission.

**Hearing:** Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Inc **wish to be heard** in support of our submission; and will consider presenting a joint case at any hearing with other parties presenting on similar matters.

Signed by:

  
Jason Kerehi  
for Rangitāne Tū Mai Rā Trust



Horipo Rimene

Pou-tiaki-whenua

Ph: 06 3700608



**Date:**

9 September 2015

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## INTRODUCTION

Tena tatou katoa,

Management of natural resources is a significant priority for Rangitāne o Wairarapa. As manawhenua for this rohe we take our role of kaitiakitanga (guardianship) very seriously for those who have gone before us, those that live here now and those that are yet to come. Our connection to this land began when Kupe first set foot on these shores back in the 12th Century. His people settled along the eastern and southern coastlines. Later on Whatonga first arrived at Te Rangiwhakaoma (Castlepoint) some 30+ generations ago. This signaled the arrival of the Kurahaupo people and the iwi of Rangitāne. Our people have lived here continuously since then.

Our old people told us that the land is our earth-mother - Papatuanuku. Not only is she precious but she is vulnerable to the actions of people. The rivers and streams are her veins and the water is sacred and cleansing. The forests were laid upon her like a korowai (cloak). We are told that we have a physical and spiritual connection to the land, that we whakapapa to the land and to Papatuanuku and in that sense we can never be disconnected from her nor can our responsibility to care for her because she will remain long after we have gone. We are reminded that we must care for her so that she may continue to nourish our children and those that follow after.

Author Michael King wrote in his book 'The History of New Zealand' that "*what took 2,000 years in Europe, and 350 years in Northern America took less than 150 years here in New Zealand to transform and modify the land into what we see today*". It is within this context of extreme conversion of land to farming, forestry and urbanisation that we as Rangitāne kaitiaki operate. Today our role in natural resource management for this rohe remains an important priority. Rangitāne o Wairarapa runanga has led this responsibility for the uri (descendants) of Rangitāne hapu since the early 1980's. Despite our limited financial resources we have consistently engaged with government departments, local authorities, landowners and community interest groups to ensure the tikanga and kawa of Rangitāne is upheld.

Rangitāne o Wairarapa manifests its kaitiaki role today on many levels. Over the past few decades we have built a strong knowledge of resource management of our rohe, particularly from a tikanga Maori perspective and that remains our area of expertise. We remain engaged with local government and government agencies on many levels. We are involved in Te Upoko Taiao, Wairarapa Moana, Pukaha, Ruamahanga Whaitua, Wairarapa Water Use Group and Ara Tahī just to name a few.

This submission reflects the values and aspirations of our people. The Natural Resources Plan is a significant document for our collective future and this is a critical moment in time for resource management and planning for our rohe, so we want to get it right. The key message we have for you in our submission is that you haven't got it right. It doesn't meet our test. It is unclear in some parts what you intend to do or how you will achieve that. More worryingly, even though we continue to engage with you on resource management issues and planning you still don't get what we are telling you. Our submission identifies where we think we and you need to do more work.

Our elders tell us that above all things - our duty is to be tika (get things right)! So let's get it right together.

We look forward to speaking to our submission.

Na reira, na mihi ki a koutou katoa, Tihei Mauriora!

## **SUBMISSION POINTS RELATING TO THE WHOLE PROPOSED PLAN**

### **Maori relationships with natural and physical resources**

Objectives, policies and rules in the Plan must recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance under s.6(e) of the Resource Management Act. Where this is not achieved, the objectives and policies of the Plan must be amended, added or deleted to ensure that this statutory requirement is met. To achieve this matter of national importance, the Plan should focus on achieving a resource state that provides for Maori relationships, rather than simply including objectives and policies that focus on the relationship itself. The Regional Council does not have control over the relationship Rangitāne o Wairarapa has with natural and other resources - that is a matter for the iwi. However the Regional Council does have control over the use and development of resources and therefore can manage, in conjunction with Rangitāne, those resources so that they are in a state that provides for the relationship Rangitāne has with them. This subtle difference in approach is not clear in the Plan, and objectives, policies and other provisions should be amended to accurately reflect this approach.

### **Freshwater management approach**

The Proposed Plan appears to have taken the approach of not specifying freshwater limits, and timeframes for achieving those limits where they are currently not met, as part of the current plan and assumes that those provisions will be introduced in the future through plan changes. Rangitāne o Wairarapa does not agree that that approach is consistent with giving effect to the National Policy Statement for Freshwater Management, or achieving the Purpose of the RMA.

To safeguard ecosystem health, protect water bodies, and to manage resource use activities effectively and efficiently, resource limits should be specified in the Plan now. Objectives, policies, rules and other methods should be put in place in the Plan now to ensure those limits are not exceeded. Where those limits are currently not met, a regime should be put in place in the Plan now that will ensure that there is meaningful progression towards those limits being met within a defined timeframe.

Rangitāne o Wairarapa acknowledges the Whaitua Committee approach that the Council has adopted and supports that process as a means of engaging with the communities of interest in each Whaitua. However the timeframes and outcomes of the Whaitua Committee processes are not certain. It is not consistent with promoting sustainable management to allow water bodies and other natural resources to decline during the period until any plan changes originating from the Whaitua process come into effect. The Whaitua Committees, should they arrive at alternative limits and timeframes to those included in the Proposed Plan now, can recommend plan changes to amend the current limits. Therefore, inserting freshwater objectives, limits and targets in the Proposed Plan now does not constrain or pre-determine the recommendations of the Whaitua Committees.

### **Natural character of the coastal environment**

Objectives, policies and rules in the plan must recognise and provide for the preservation of natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development as identified as a matter of national importance under s.6(a) of the Resource Management Act and the New Zealand Coastal Policy Statement. Where this is not achieved, the objectives and policies of the Plan must be amended, added or deleted to ensure that this statutory requirement is met.

Rangitāne o Wairarapa cultural and traditional relationships with the coastal environment are strongly linked to natural features and processes, and therefore the natural character of the coastal environment. As part of recognising and providing for the relationship Rangitāne o Wairarapa, and our culture and traditions, have with the coastal environment, we the Regional Plan should preserve natural character and protect it from inappropriate subdivision, use and development. At present, the Plan does not identify areas of high or outstanding natural character in the coastal environment. Nor does it identify the characteristics and qualities of the coastal environment that are necessary for the Plan to be effective in avoiding significant adverse effects on natural character. It is inconsistent with the theme of integrated management to leave the evaluation of the significance of natural character and the effects of development on it at a site-specific, local and regional scale to case-by-case resource consent assessments. Rangitāne o Wairarapa considers that the Regional Council should insert into the current Proposed Plan (using an appropriate procedural mechanism) maps and other provisions to provide for the preservation of natural character of the coastal environment and its protection from inappropriate subdivision, use and development, including identification of areas of high and outstanding natural character.

## **Outstanding natural features and landscapes**

Objectives, policies and rules in the Plan must recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, as identified as a matter of national importance under s.6(b) of the Resource Management Act. Where this is not achieved, the objectives and policies of the Plan must be amended, added or deleted to ensure that this statutory requirement is met.

The Proposed Plan identifies some Outstanding Water Bodies, however it does not identify outstanding natural landscapes and features. Instead this is to be achieved at a later date by way of Method M24. The approach of not identifying those outstanding natural features and landscapes, and areas of high and outstanding natural character, in the Plan at this stage is not consistent with giving effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement. The Regional Council should insert into this Plan maps, schedules and other necessary provisions that identify areas that are or have the potential to be outstanding natural features and landscapes, and areas of significant and outstanding natural character.

## **‘Minimising’ adverse effects**

Many of the objectives and policies in the Plan currently include the use of terminology such as ‘reducing’ or ‘minimising’ when referring to the effects of activities, use or development. This is inconsistent with s.5, in particular s.5(2)(c), of the Resource Management Act, which states that in promoting the sustainable management of natural and physical resources, adverse effects of activities on the environment are avoided, remedied or mitigated. ‘Minimising’ adverse effects is not consistent with this outcome unless the definition of that term is consistent with the application of ‘avoid, remedy and mitigate’. The provisions of the Plan should be amended to ensure that they are consistent with achieving the outcomes of s5(2)(c) RMA.

## **Give effect to the Regional Policy Statement**

The Proposed Plan must give effect to the objectives and policies of the Regional Policy Statement. There are a number of examples where the Proposed Plan does not give effect to the RPS, or where it is unclear how effect is being given. The Proposed Plan should be amended to ensure that the relevant objectives and policies of the RPS are given effect to.

## SUBMISSION POINTS ON SPECIFIC PARTS OF THE PROPOSED PLAN

Submission points set out below include a description of the relief sought. In the case of each submission point, any relief sought includes any consequential amendments to other provisions of the Proposed Plan that are necessary to give effect to that relief. Where specific suggestions for changes to the wording of provisions are included in the relief sought, other wording that achieves the same outcome is appropriate.

### Section 1 - Introduction

Provision	Support/Opposition	Discussion	Relief sought
<b>All of Section 1</b>	Support with amendments	The introduction section of the Plan should provide an overview of the approach taken in the Plan, and provide context to the Plan's provisions.	Amend Section 1 to reflect changes to the other provisions of the Plan as sought by this submission.
<b>1.4 Integrated Catchment Management</b>	Support with amendments	The second paragraph of the section begins with the statement 'The first step in integrated catchment management is the identification of values and associated outcomes at the catchment scale.' Rangitāne o Wairarapa strongly supports that proposition but is concerned that the Council has not comprehensively identified the values as part of developing the Proposed Plan. While the Whaitua Committees may refine the values in the future, the Plan as currently proposed has integrated management (Objective O1) and therefore must accurately articulate the values now. Table 1.1 in Section 1.6 of the Proposed Plan sets	Include a comprehensive list of known values (by adding to Table 1.1) and amend the objectives, policies and other provisions of the Plan to align with achieving outcomes that will provide for those values.

		out 'the values of water that have been identified during the development of the Plan'. However Table 1.1 includes a very small subset of the values. For example, the table does not include the values that are listed in Schedules B and C of the Plan.	
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## Section 2 - Interpretation

Provision	Support/Opposition	Discussion	Relief sought
<b>2.2 Definitions</b> Cultural Impact Assessment*	Support with amendments	The term is defined in the GWRPS as "Cultural Assessment" however the definition contains the same wording	Amend the Plan's term to be consistent with the term used in the RPS.
Wairarapa Moana - includes the beds of Lake Wairarapa and Lake Onoke and the publically owned reserves adjacent to the lakes	Support with amendments	Wairarapa Moana is a vast system of waterbodies, wetlands and land encompasses not only the beds of Lakes Wairarapa and Onoke, and the publically owned reserves around them as defined, but also includes the water, wetland areas and habitats for native flora and fauna.  The mauri of Wairarapa Moana, the kai moana values and the spiritual values assume that the land, water and ecosystem cannot be considered or managed as separate components.	Amend the definition of Wairarapa Moana as follows:  Wairarapa Moana Includes the water and beds of Lake Wairarapa and Lake Onoke, the publically owned reserves adjacent to the lakes, the connections between the lakes and wetlands and the ecological systems within those areas.



### Section 3 - Objectives

#### General submission points on all Objectives in Section 3

In the case of submission points on the objectives, and recognising the policy cascade from objectives to lower-order provisions in the Plan as required by s67(1) RMA, any relief sought to the objectives should be regarded as including consequential amendments to the policies and methods of the Plan that achieve those objectives.

#### Specific submission points on provisions

Provision	Support/Opposition	Discussion	Relief sought
Objective O1	Support with amendments	<p>Rangitāne supports the intent of this objective, which seeks to ensure that land, fresh water bodies and the coast are managed as integrated and connected resources.</p> <p>The objective refers to 'the coast'. This does not reflect the extent of the coastal marine area for which the Regional Council has resource management responsibility. Rangitāne o Wairarapa's relationship with the coastal environment extends beyond the immediate</p>	<p>Retain this Objective as notified but with the following amendments:</p> <p>Land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; <b>ki uta ki tai</b> - mountains to the sea.</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>coastal zone, particularly in relation to the health and functioning of the fishery resource. There is also an interconnected relationship between the near shore and deep water ecosystems, that must be sustainably managed and protected from use and development that may adversely impact upon them. Of particular relevance is the migratory processes of many indigenous freshwater species that contribute to water bodies of Wairarapa. This is especially relevant for tuna (eel).</p>	
Objective O2	Support with amendments	<p>Rangitāne supports the objective in its recognition of the role of land and water to the social, economic and cultural well-being of the community. Along with reference to the well-beings, the definition of sustainable management in s5 of the RMA also references the role of natural and physical resources in enabling people and communities to provide for their health and safety. The notion of 'health' is broad and includes both physical and mental health. It is important to acknowledge the contribution land and water make to sustaining a healthy community, including as a source of food but also in terms of emotional and spiritual connections and relationships.</p> <p>Section 5 of the RMA refers specifically to people and communities. The benefits of natural and</p>	<p>Retain this Objective as notified but with the following amendments:</p> <p>The importance and contribution of land and water, <u>and ecological systems and processes</u>, to the social, economic and cultural well-being, <u>and the health of people and</u> the community are recognised.</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O3	Support with amendments	<p>physical resources can apply to individuals and to groups or communities. In some cases, benefits that communities derive from the use of natural resources can be detrimental to individuals, and vice versa. It is therefore important that the Plan reflects this multi-level relationship that people, either as individuals or as groups of individuals, have with land and water.</p> <p>The physical resources of land and water are important to the well beings and outcomes listed in the objective, but so too are the benefits of healthy functioning ecosystems that rely on land and water. There is no other objective in the Plan that expressly recognises importance and contribution of ecosystems to individuals and communities.</p>	<p>Retain the objective with the following amendments:</p> <p><b>Mauri</b>, particularly the <b>mauri</b> of fresh and coastal waters, is sustained and, where it has been <u>depleted as a result of human actions, natural resources and processes are enhanced to [replenish] mauri.</u></p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O4	Support with amendments	<p>Rangitāne support the inclusion of one or more objective/s that seeks to recognise the intrinsic values of ecosystems and the life-supporting capacity of water. However the objective does not refer to the intrinsic values of terrestrial ecosystems nor the interconnected relationship between land and water ecosystems. The objective also does not refer to the life-supporting capacity of soil or air, which are both specifically referred to in s5 of the RMA. There are no other objectives in the Plan that provide for safe-guarding the life-supporting capacity of soil and air.</p> <p>Section 5 of the RMA directs that the life-supporting capacity of air, water, soil and ecosystems is safe-guarded. This objective only requires that the life-supporting capacity of a subset of those matters is 'recognised'.</p> <p>It is also noted that the objective unnecessarily refers to 'aquatic' fresh water ecosystems.</p>	<p>The objective should be amended to refer to all of the relevant matters in s5(2)(b), and be extended to refer to all ecosystem types rather than only fresh water and coastal ecosystems. The objective should be amended so that the life-supporting capacity of ecosystems is safe-guarded.</p> <p>Alternatively, add new separate objectives that have as their outcome safe-guarding the life-supporting capacity of each of the matters listed in s5(2)(b).</p> <p>The objective should refer to either 'fresh water ecosystem' or 'aquatic ecosystem' rather than 'aquatic fresh water ecosystem'.</p>
Objective O5	Support with amendments		<p>Amend the Plan so that:</p> <ul style="list-style-type: none"> <li>• Objective O5 is clear that the term "aquatic ecosystem health" relates to both coastal and fresh water, or</li> <li>• The definition of "aquatic ecosystem health" should</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>The objective uses the term 'aquatic ecosystem health'. While that term is included in the definition section of the Plan, it is not clear whether it refers to fresh water or coastal marine ecosystems or both.</p> <p>While aquatic ecosystem health and mahinga kai are related in several ways, mahinga kai is a broader outcome that should more appropriately be established in the objective on a separate basis. The same applies for contact recreation and Maori customary use - while the two are related, Maori customary use is a broader outcome than contact recreation.</p> <p>The relationship Rangitāne o Wairarapa, and their culture and traditions, have with fresh water bodies and the coastal marine area extends to significantly more than customary use and mahinga kai. While it is recognised that some aspects of those relationships are given higher weighting, such as in Objective O16, the Plan does not include objectives that expressly recognise and provide for those relationships (as is necessary to meet the Council's obligations under s6(e) of the Act).</p>	<p>be amended to be clear that it applies to both coastal and fresh water ecosystems.</p> <p>Amend the objective to separate out the components so that the following outcomes are expressed:  Safeguard aquatic ecosystem health  Safeguard mahinga kai  Provide for contact recreation  Provide for Maori customary use  Provide for the health needs of people</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O6	Support with amendments	<p>If this objective is to focus on fresh water and coastal marine resources only, it should include specific direction to provide for the matters set out in s6(e) of the Act.</p> <p>Rangitāne generally support the intent of the objective, which seeks to ensure that water is available of a quantity, and quality that ensures the health of people.</p> <p>Objectives A1, A2 and B1 of the NPS-FM are of particular relevance when reviewing this objective.</p> <p>In particular Objective A1 b) seeks to safeguard the health of people and communities, at least as affected by secondary contact with fresh water.</p> <p>The mauri of freshwater is of significant importance to Rangitāne as tangata whenua of the Wairarapa.</p> <p>The wording of the objective needs to be amended to provide a clear outcome for plan users over how freshwater resources will be sustainably managed in order to ensure that people and communities can provide for their health and safety as per s.5 of the RMA and to align with the direction provided through the NPS-FM.</p>	<p>Amend the objective to ensure that:</p> <ul style="list-style-type: none"> <li>Links to the requirements of the Resource Management Act and the NPS-FM are incorporated and the objective wording is amended accordingly</li> </ul>
Objective O7	Support		Retain the objective as notified.

Provision	Support/Opposition	Discussion	Relief sought
Objective O8	Oppose	<p>The objective states that the benefits of the taking and using water are recognised and provided for within the Plan's allocation framework. The Plan's allocation framework is a policy and regulatory response to achieving the outcomes in objectives. Including reference to the allocation framework at the objective level 'muddies the waters' between the plan establishing clear outcomes in objectives and then addressing the achievement of those objectives in the provisions.</p> <p>This objective is effectively a repeat of Objective O2, but with the addition of direction to provide for those matters (in addition to recognising them). 'Providing' for the taking and use of water (both quantity and quality) must be tempered by the achievement of other objectives in the Plan, particularly those requiring maintenance and enhancement of resources.</p>	Delete the objective.
Objective O9	Support	Rangitane supports the maintenance and enhancement of the recreational values of the CMA and rivers and lakes.	Objective O9 as notified.
Objective O10	Support with amendments	<p>Rangitane support Objective O10 as it seeks to ensure that public access to and along the coastal marine area and rivers in lakes. This gives effects to Policy 19 of the New Zealand Coastal Policy Statement.</p> <p>As stated under Policy 19(3)(c) of the NZCPS,</p>	Amend the objective so that access to and along the coastal marine area is maintained and enhanced except in circumstances and locations where it is inconsistent with safeguarding or protecting significant values or sites, including

Provision	Support/Opposition	Discussion	Relief sought
Objective O11	Support with amendments	<p>restrictions on public walking access along or adjacent to the CMA allow for the imposition of restrictions on access to protect sites and activities of cultural value to Māori.</p> <p>Rangitāne are concerned about the use of vehicles in the Coastal Marine Area. Vehicles pose a risk to public safety and can damage mahinga mātaītai areas and other significant sites.</p> <p>The outcome of the objective needs to be clear in that access to the coastal marine area is maintained and enhanced except in circumstances and locations where it is inconsistent with safeguarding or protecting significant values or sites, including significant sites to Māori.</p>	sites of significance to Māori.
		<p>The intent of Objective O11 to recognise, maintain and improve areas used by tangata whenua for customary and cultural purposes is supported.</p> <p>The relationship Rangitāne o Wairarapa, and their culture and traditions, have with fresh water bodies and the coastal marine area extends to significantly more than customary use. This objective needs to be amended to recognise the relationships (as is necessary to meet the Council's obligations under s6(e) of the Act) and to ensure all aspects in respect to the CMA, rivers, lakes and their margins and natural wetland are recognised</p>	<p>Amend the objective to ensure:</p> <ul style="list-style-type: none"> <li>• Māori customary use is replaced with appropriate reference to the full extent of the relationship of Māori and their culture and traditions with fresh and coastal water bodies.</li> <li>• The ongoing and enduring relationships of tangata whenua over their lands, water, and other resources and sites are appropriately</li> </ul>



Provision	Support/Opposition	Discussion	Relief sought
		<p>and provided for.</p> <p>Objective 3 of the NZCPS requires that the ongoing and enduring relationship of tangata whenua over the lands, rohe and resources are recognised.</p> <p>Policy 2(f) of the NZCPS requires that, in taking into account the principles of the Te Tiriti o Waitangi and kaitiakitanga, in relation to the coastal environment there needs to be opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands and fisheries in the coastal environment.</p> <p>The objective needs to be amended to more clearly encompass the holistic view of Māori and their culture and traditions when it comes to recognising their relationship with the CMA, rivers, lakes and their margins and natural wetlands.</p> <p>The objective only has as an outcome that 'opportunities' are recognised, maintained and improved. To recognise and provide for the relationships of Rangitāne and our culture and traditions with natural resources, the objective needs to provide a more comprehensive outcome that simply providing for opportunities for cultural use.</p>	<p>recognised and provided for.</p> <ul style="list-style-type: none"> <li>Tangata whenua have the ability to exercise kaitiakitanga over waters, lands and fisheries in the coastal environment.</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Objective O12	Support		Retain as notified
Objective O13	Support with amendments	Rangitāne supports the use and operation of sustainably developed and operated regionally significant infrastructure and renewable energy generation within the coastal environment. However this objective should be refined to be clear that it applies to existing infrastructure.	Amend the objective to be clear that it applies to existing infrastructure only.
Objective O14	Support with amendments	<p>S6(e) of the Act refers to both the relationships Maori have with the listed matters, but also the relationships their culture and traditions have with those matters. It is important that the provisions in the Plan provide for both the relationships between the people as well as the relationships between culture and traditions because the latter are inextricably linked to the natural and physical resources and other aspects of the environment.</p> <p>The objective seeks to maintain and improve the relationship Maori have with air, land and water. The relationship Maori have with those resources is not something the Plan can control. However the Plan can manage the use and development of resources so that the resources, sites and features with which Maori have a relationship are in a state or of a quality that enables those relationships to continue or to be rekindled where they have been diminished. The objective should therefore focus on achieving resource outcomes that are</p>	<p>Amend the objective to refer to all of the matters specified in s6(e) RMA.</p> <p>Amend the objective to be clear that the relationships specified in s6(e) are to be recognised and provided for.</p> <p>Amend the objective to read:</p> <p><u>Māori relationships, and the relationships of their culture and traditions, with air, land and water, wāhi tapu, and other taonga are recognised and provided for, including by:</u></p> <p>(a) <u>Protecting wāhi tapu and other sites of significance</u></p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>consistent with providing for the relationship Maori and the culture and traditions have with those resources.</p>	<p><u>from land use and development that may damage or destroy them or adversely affect the cultural or spiritual values they have for Maori</u></p> <p>(b) <u>Maintaining and improving access for Maori to sites and areas, including fresh water bodies and the coastal environment, that are important for cultural, spiritual or traditional uses and activities;</u></p> <p>(c) <u>Maintaining and, where they have been degraded, improving the quality, quantity and functioning of natural resources and processes.</u></p>
Objective O15	Support with amendment	<p>Rangitane support the objective that kaitiakitanga is recognised and mana whenua actively participate in planning and decision making.</p> <p>Section 7 of the RMA requires that particular regard shall be had to kaitiakitanga in relation to managing the use, development and protection of</p>	<p>Amend the objective to clarify that it applies to planning and decision making in relation to the use, development and protection of natural and physical resources.</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O16	Support with amendments	<p>natural and physical resources.</p> <p>The objective should also be consistent with Section 8 RMA and meeting the requirements in relation to involvement of iwi with mana whenua in decision making as set out in the Local Government Act.</p> <p>s.6(e) of the RMA states that in achieving the purpose of the Act, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga shall be recognised and provided for.</p> <p>The Objective is supported to the extent that it directs that the relationship of mana whenua with Nga Taonga ui a Kiwa are recognised and provided for. However the objective should also refer to the relationship of culture and traditions with those sites.</p> <p>There is no specific objective in the plan that provides direction around the protection of nga taonga nui a kiwa, which is necessary to provide for Maori values. As such, this objective should be amended to direct the protection of the sites themselves.</p>	<p>Amend Objective O16 to also refer to the relationship of the culture and traditions of mana whenua with Nga Taonga ui a Kiwa.</p> <p>Amend the objective to provide for the protection of nga taonga nui a kiwa in order to provide for the relationships of Maori and the culture and traditions with them.</p> <p>The following wording is suggested:</p> <p><u>Nga Taonga Nui a Kiwa are protected from use and development that will adversely affect the characteristics and qualities that provide for the relationships and values Maori, and their culture and traditions, have with them.</u></p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O17	Support	<p>Rangitāne support the inclusion of Objective O17 which seeks to preserve and protect the natural character of the coastal environment. Preserving and enhancing natural character, including natural processes, is important to provide for Rangitāne's cultural, spiritual and traditional connections and relationships. Natural migration of aquatic species, including between coastal and freshwater environments is essential for ecosystem health and kai moana. Areas of coastal and freshwater transition such as Lake Onoke and other estuaries and river mouths are of high value for kai moana and the natural character of those areas must be protected and enhanced to provide for those values.</p> <p>This objective aligns with Policy 13 of the NZCPS however in order for the objective to be given effect to, a thorough assessment of natural character is required in order for the natural character values to be understood and appropriately preserved and protected in accordance with s.6(a) of the RMA. At present, the Plan does not map or otherwise identify areas of outstanding natural character in the coastal environment, nor does it identify areas of high natural character.</p>	<p>Retain the objective and undertake a full natural character assessment of the Region's coastal environment to ensure the appropriate natural character values of the coastal environment are preserved and protected.</p>

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
Objective O18	Support with amendments	<p>Rangitāne support the intent Objective O18, and in particular the reference to mana whenua values and the importance of restoring the health and function of estuaries.</p> <p>As estuaries form part of the coastal environment. Under the s.6, the RMA identifies the preservation of the natural character of the coastal environment is a matter of national importance. Under the NZCPS, Policy 13 also requires the preservation of natural character of the coastal environment, and to protect it from inappropriate subdivision use and development.</p> <p>Adverse effects on the natural character of the coastal environment is identified as a regionally significant issue to Rangitāne, which is also references in Chapter 3.2 (Page 23) of the Regional Policy Statement for the Region.</p> <p>Protection of the natural character of the coastal environment is also included as objective 4 of the Regional Policy Statement. This is further enforced through the requirements of Policy 35 – Preserving the natural character of the coastal environment - consideration which requires that particular regard shall be give to preserving the natural character of the coastal environment when reviewing a regional plan.</p>	Amend the Objective to ensure that it gives effect to the higher order policy documents, particularly in relation to ecological and mana whenua values.

Provision	Support/Opposition	Discussion	Relief sought
Objective O19	Support with amendment	<p>A natural character assessment of the coastal environment has not been completed at the time of notification of the Plan. Rangitāne have significant interest in the preservation and protection of the natural character of the coastal environment, particularly the way that natural character can impact on the role of Rangitāne as kaitiaki for the CMA.</p> <p>The objective should be strengthened to give effect to the higher order policy documents.</p> <p>Rangitāne support the intent of the objective to manage the effects of use and development on natural processes.</p> <p>The objective is not clear what natural processes are being referred to and whether the reference to natural processes is specifically those processes within the coastal marine area, or whether it is natural processes in a broader sense.</p> <p>In the case of the coastal marine area, the NZCPS requires that the natural character of the coastal environment be preserved and protected from inappropriate use and development.</p> <p>The Council have not completed a natural character assessment, but natural character</p>	<p>Amend the objective to ensure:</p> <ul style="list-style-type: none"> <li>• The natural processes referred to in the objective are clearly identified</li> <li>• That it is adverse effects from use and development not interference that needs to be managed</li> </ul> <p>Or</p> <p>Objective O19 should be deleted in its entirety (the outcome is achieved by O17).</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>includes such matters as the natural elements, processes and patterns of the coastal environment, as identified in Policy 13(2)(a).</p> <p>The objective appears to be addressing a subset of natural character, which is already provided for in Objective O17. Objective O19 could be deleted in its entirety (the outcome is achieved by O17) or should be modified to provide and more specific outcome.</p>	
Objective O20	Support with amendments	The intent of the objective is supported, however the objective should be amended to clearly state what 'acceptable' means.	Retain and amended the objective to clearly state what 'acceptable' means
Objective O21	Support		Retain as notified
Objective O22	Support	Rangitāne supports the Objective and its direction that hard engineering options only be used as a last resort. Hard engineering options can result in adverse effects on the natural values, mahinga kai and sites of cultural and spiritual significance to tangata whenua.	Retain as notified
Objective O23	Support	<p>Rangitāne support the intent of the objective to maintain or improve water quality throughout the Region.</p> <p>Rangitāne strongly supports the objective's current wording insofar as it applies the objective to all rivers, lakes, natural wetlands, groundwater and the coastal marine area.</p>	<p>Retain the scope of the objective so that it applies to all of the water bodies listed.</p> <p>This objective should extend to the quality of water in modified and artificial water bodies that are connected to natural water bodies but are not otherwise managed as a</p>



Provision	Support/Opposition	Discussion	Relief sought
		<p>Rangitāne is concerned about the management of water quality in modified and artificial water bodies that connect directly to rivers, lakes, wetlands and the coastal water, particularly where those water courses (for example networks of farm drains) collect and discharge water from a number of different landowners. The discharge of water from those types of waterbodies is often not managed through the resource consent process, however it can have a significant impact on life-supporting capacity, mahinga kai and other water values. This objective should therefore extend to the quality of water in modified and artificial water bodies that are connected to natural water bodies but are not otherwise managed as a discharge.</p> <p>Objective A2 of the NPS-FM requires that the overall quality of fresh water within a region is maintained or improved while protecting significant values or outstanding freshwater bodies; protecting the significant values of wetlands and improving the quality of freshwater where this has been degraded by human activities to the point of being over-allocated.</p> <p>The obligation to maintain water quality, as a minimum outcome, should relate to the state of water quality at the time the Council initiated its review of the regional plan. It is inconsistent with</p>	<p>point source discharge.</p> <p>Amend the objective so that it is clear that the state at which water quality is to be maintained is the state at the time the regional plan review was initiated.</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O24	Support with amendments	<p>achieving sustainable management and the scheme of the NPSFM to allow degradation of water quality even if the NPSFM is not to be given full effect in the Proposed Plan.</p> <p>Rangitāne support the general intent of the objective which seeks to ensure water bodies are suitable for contact recreation and Māori customary use.</p> <p>Rangitāne consider however that all water bodies within the Region should be of a suitable quality for primary contact recreation.</p> <p>The relationship that the people of Rangitāne and their culture and traditions have with their ancestral lands, water, sites, waahi tapu and other taonga are a matter of national importance to be recognised and provided for under s.6(e) of the RMA.</p> <p>Many of the sites of significance to iwi are sites where traditional and cultural activities, including those associated with kai moana, occur. As such, it is essential for the health, safety and well-being of people that water bodies at and upstream of those sites are of a quality that provides for primary contact.</p>	<p>Amend the objective to ensure that:</p> <ul style="list-style-type: none"> <li>• all water bodies in the Region are suitable for primary contact recreation.</li> <li>• A date that is no later than 2030 is added to the objective to define when the objective's outcomes are to be met.</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Objective O25	Support with amendments	<p>The objective should include a timeframe by which any water bodies below the specified water quality levels should meet the levels. It is important to have time-bound objectives to provide certainty and to ensure the Council has a strong motivation to achieve the outcome.</p> <p>Tables 3.4 to 3.8 include as the outcome for Mahinga Kai species 'Mahinga kai species, including taonga species, are present in quantities, size and of a quality that is appropriate for the area'. The phrase 'appropriate for the area' is unclear in its intent. It should be amended to be clear that it means that presence, quantities, size and quality should represent what is expected in in areas based on natural distribution.</p> <p>Clause (c) of the objective should be reworded to be clear that the water bodies that do not meet the objectives in the tables are the water bodies where enhancement to the specified level is required.</p> <p>The objective should include timeframes for achievement of the objectives in water bodies that are degraded.</p> <p>The note referring to the weighting of the whaitua chapter objectives is unnecessary. There should</p>	<p>Amend the objective and associated tables as follows:</p> <ul style="list-style-type: none"> <li>Amend the tables to be clear that 'appropriate for the area' means that presence, quantities, size and quality should represent what is expected in each area based on natural distribution and natural habitat.</li> <li>Reword clause (c) to be clear that the water bodies that do not meet the objectives in the tables are the water bodies where enhancement to the specified level is required.</li> <li>A date that is no later than 2030 is added to the objective to define when the</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>be few, if any, conflict between objectives in the Plan and each objective should be read in conjunction with the other objectives.</p> <p>The footnote on Table 3.8 should refer to Table 3.5, not 3.2.</p> <p>The footnotes on Tables 3.5 and 3.8 in relation to whether Lake Onoke will be managed as a lake or an estuary depending on whether it is open or closed to the sea it problematic and is not appropriate for outcomes that represent a long-term state. Lake Onoke regularly fluctuates between being open and closed to the sea. There is also interaction between the lake and the sea even when a formed opening is not present. It is also noted that Lake Onoke is identified as being within the CMA in the maps.</p> <p>The objective does not include any outcomes that relate to birds. Seabirds are part of the coastal and intertidal ecosystem and are essential to natural processes.</p>	<p>achievement of the objective's outcomes are to be met.</p> <ul style="list-style-type: none"> <li>• Delete the note.</li> <li>• The footnote on Table 3.8 should refer to Table 3.5, not 3.2</li> <li>• Amend Tables 3.5 and 3.8 to describe outcomes for Lake Onoke and other coastal lakes that remains consistent despite intermittent opening and closing to the sea.</li> <li>• Include outcomes that safeguard seabird ecosystem requirements.</li> </ul>
Objective O26	Support with amendment	<p>Rangitāne support the intent of the objective to ensure the availability of mahinga kai species to meet its customary harvest requirements.</p> <p>Rangitāne feel however that reference to the size of the species is also important to ensure</p>	<p>Rangitāne seek that the wording of Objective O26 be amended as follows:</p> <p>The availability of mahinga kai species to support Māori customary</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O27	Support with amendment	<p>customary harvest requirements can be met.</p> <p>Rangitāne support the intent of the objective to achieve the establishment and maintenance of vegetated riparian margins.</p> <p>Rangitāne would however prefer to see that indigenous species are used for riparian margin planting.</p> <p>The objective is also not explicit on where riparian margins are to be established and maintained (i.e the types of water bodies), nor does the objective make it clear what the outcomes of riparian planting are.</p>	<p>harvest is increased, in quantity, quality, size and diversity.</p> <p>Objective O27 be amended as follows:</p> <ul style="list-style-type: none"> <li>To refer to indigenous species being preferred</li> <li>To be clear on the outcome to be achieved, which may include maintaining and enhancing aquatic and riparian habitat to support ecosystem health and to reduce sediment and nutrient discharges to water bodies.</li> </ul>
Objective O28	Support with amendment	<p>Rangitāne support the intent of the objective which seeks to maintain the extent of natural wetlands.</p> <p>Natural wetlands are now rare, largely as a result of land drainage and modifications to catchments. It is essential that remaining wetlands are protected from use and development, and from any further degradation. As such, the objective should be worded more strongly.</p>	<p>Amend the objective so that it directs that natural wetlands are to be protected from use and development that may adversely affect their ecosystem values, extent and processes. This protection should extend to protection of indigenous flora and fauna species in those wetlands.</p>
Objective O29	Support in part	<p>While Rangitāne support the intent of the objective to ensure that the passage of fish is</p>	<p>Rangitāne request the following changes to Objective O29:</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>provided for through use and development, Rangitāne also seek that the term “provides for” be replaced with “maintains and where possible enhances”. This will provide clear direction to plan users and decision makers that the passage of fish and koura needs to be maintained and it allows an opportunity for development to enhance fish and koura passage also.</p>	<p>Use and development <u>must</u> provides for <u>maintain, and where possible, enhance the passage of fish and koura, and where previous use and development have destroyed or interrupted the passage of indigenous fish and koura, the passage must be restored.</u></p> <p>Retain as notified.</p>
Objective 30	Support		
Objective O31	Support with amendment	<p>Rangitāne support the intent of the objective to protect the values of outstanding water bodies.</p> <p>The protection of outstanding natural features and landscapes from inappropriate subdivision use and development is a matter of national importance under s.6(b) of the Act.</p> <p>However, it appears from the s.32 report on natural heritage that outstanding water bodies are the only grouping of outstanding natural features and landscapes identified throughout the Wellington Region.</p> <p>Objective 17 of the Regional Policy Statement requires that the region’s outstanding natural features and landscapes are identified and their landscape values protected from inappropriate subdivision, use and development. One method</p>	<p>Amend the objective to ensure:</p> <ul style="list-style-type: none"> <li>• A full assessment of outstanding natural features and landscapes in the coastal marine area and in the beds of lakes and rivers is completed based on the full range of values (natural science, sensory and shared or recognised) specifically including tangata whenua values.</li> <li>• Wairarapa Moana and the Ruamahanga River and its tributaries are recorded as Outstanding Water Bodies.</li> <li>• Palliser Bay, including the Lake Onoke, is identified as an area of outstanding</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>identified for achieving this objective is through the implementation of regional plans, a point which is reiterated through Policy 25 which directs district and regional plans to identify outstanding natural features and landscapes by undertaking a landscape evaluation process taking into account the listed factors including natural science factors, sensory factors and shared or recognised values (specifically including tangata whenua values). An explanatory section of the policy explains that regional plans are to identify outstanding natural features and landscapes in the coastal marine area and the beds of lakes and rivers. In addition, the policy statement acknowledges that a regional significant issue for the iwi of the Wellington Region for landscape are the inappropriate modification of the characteristics of outstanding natural features and landscapes that make them outstanding and natural. The Proposed Plan therefore does not give effect to the RPS in this regard.</p> <p>The outstanding water bodies identified are purely identified based on their indigenous ecosystem values or indigenous biodiversity values, which does not incorporate those waterbodies and areas of the CMA with specific cultural significance, and value to tangata whenua.</p>	<p>natural landscape.</p> <ul style="list-style-type: none"> <li>Describe what the outstanding water bodies and values are to be protected from.</li> </ul> <p>Undertake an assessment and include maps and other details of all outstanding natural features and landscapes in the Proposed Plan.</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O32	Support with amendment	<p>Of particular significance to Rangitāne are Wairarapa Moana and the Ruamahanga River and its tributaries –these water bodies have significant cultural and spiritual values for Rangitāne and are outstanding on that basis.</p> <p>Rangitāne supports the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.</p> <p>As outlined in the submission on Objective O31 above, an assessment of the outstanding natural features and landscapes of the Wellington Region needs to be completed. There have been some landscape assessments undertaken in Wairarapa, including as part of the Wairarapa Coastal Strategy and the Wairarapa Landscape Study. The Wairarapa Landscape (August 2010) stated that <i>The Wairarapa Coastal Strategy, produced in 2002, involved a landscape and ecology assessment of the entire Wairarapa coastal area, but a similar level of assessment has not been carried out over the whole district. The Wairarapa Landscape Study has been commissioned to remedy this situation and to provide the basis for implementing the RPS policies mentioned above.</i> (pg 8)</p>	<p>That the objective be retained, but that a thorough assessment of the outstanding natural features and landscapes of the Wellington Region be undertaken with particular consideration given to those natural features and landscapes with value to tangata whenua.</p> <p>Alternative to the above relief, significant natural features and landscapes and areas of at least high natural character in the coastal environment should be derived from the existing studies that have occurred, including those associated with the Wairarapa Coastal Strategy. Those areas and sites should be mapped, and provided with sufficient interim protection in the Regional Plan to avoid the potential for degradation</p>



Provision	Support/Opposition	Discussion	Relief sought
		<p>This needs to pay particular attention to the values placed on natural features and landscapes by tangata whenua of the Region.</p> <p>The Wellington Regional Policy Statement requires the identification of the region's outstanding natural features and landscapes to be included as part of any regional plan review (Method 2, Page 153). This work has not been included as part of the review of the creation of this Plan.</p>	<p>of their characteristics and values as a comprehensive assessment is undertaken.</p>
Objective O33	Support with amendment	Rangitāne supports the protection of sites with significant mana whenua values, particularly those sites contained in Schedule C5.	Retain as notified
Objective O34	Support with amendment	Rangitāne supports the intent of the objective to protect sites with significant historic heritage values.	Amend the objective so that it refers to protection of sites as well as values.
Objective O35	Support with amendment	<p>Rangitāne supports the intent of the objective to protect and restore the values or ecosystems and habitats with significant indigenous biodiversity values.</p> <p>s. 6(c) of the RMA requires that the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna are recognised and provided for.</p> <p>While the objective is intended to align with Policy 23 of the Regional Policy Statement, there are no</p>	<p>Amend the objective to recognise and provide for the requirements of s.6(C) by identifying areas of significant indigenous vegetation and significant habits of indigenous fauna and ensuring their protection.</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O36	Support	<p>objectives in the Plan that appropriately recognise and provide for s.6(c).</p> <p>Rangitāne supports the intent of the objective to protect significant geological features in the coastal marine area.</p>	Retain as notified.
Objective O38	Support with amendment	<p>Rangitāne support the intent of the objective to protect special amenity landscapes.</p> <p>However, Rangitāne consider the objective is confusing as it relates to identified special amenity landscapes and the Plan does not include any identified landscapes.</p> <p>The Plan should be amended by inserting identified special amenity landscapes.</p>	The objective is supported but work is required by the Council to provide a schedule of those landscapes considered to have significant amenity values.
Objectives O39 to O41	Support		Retain as notified
Objective O42	Support with amendments	<p>The objective refers to accelerated erosion being reduced but does not define a level to which it should be reduced to. Accelerated erosion is a major contributor of sediment and other contaminants to water bodies and has a major impact on mahinga kai, both fresh water bodies and the coastal environment. The objective should be amended to create a linkage with the other objectives of the Plan that relate to aquatic ecosystem health.</p>	<p>Amend the objective to:</p> <ul style="list-style-type: none"> <li>create a linkage with the other objectives of the Plan that relate to aquatic ecosystem health so that an outcome is defined within the objective.</li> <li>State that life-supporting capacity of soil is safeguarded and, where it has been degraded,</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Objective O43	Support with amendments	<p>There is no reference in the soil objectives to safeguarding life-supporting capacity of soil and associated ecosystems. While it is perhaps implicit in the objective, it should be made more explicit.</p> <p>The objective is generally supported but it should include direction to remediate and address existing contaminated land rather than simply avoiding or mitigating the consequences of contamination.</p>	<p>enhanced to a level that supports a healthy ecosystem.</p> <p>Amend the objective to include direction to remediate and address existing contaminated land rather than simply avoiding or mitigating the consequences of contamination.</p>
Objective O44	Support with amendments	<p>The relationship between land use and soil and water effects is supported. However the use of the term 'minimised' is not supported as this is not consistent with achieving the Purpose of the Act, which includes to avoid, remedy or mitigate adverse effects.</p>	<p>Amend the objective by replacing the reference to 'minimised' with 'avoided, remedied and mitigated'.</p>
Objective O45	Support with amendments	<p>Consistent with the reasons for the relief sought for Objective O44, the use of the term 'reduced' is not consistent with achieving the Purpose of the Act unless it is followed by a qualified (e.g reduced to a certain level). Either the objective should include cross reference to other objectives in the Plan to state the outcomes to be achieved by reduction (e.g to safeguard life supporting capacity) or 'reduced' should be replaced with 'avoided, remedied and mitigated'.</p> <p>Livestock access to water bodies with significant values, such as sites of significance to mana whenua, should be avoided where it will cause</p>	<p>Amend the objective to either include cross reference to other objectives in the Plan to state the outcomes to be achieved by the required reduction (e.g reduced to safeguard life supporting capacity) or 'reduced' should be replaced with 'avoided, remedied and mitigated'.</p> <p>Amend the objective to be clear that adverse effects of stock access to water bodies are to be avoided as a first priority, and otherwise</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>adverse effects, either directly or indirectly, on the qualities and characteristics of those sites.</p>	<p>those effects are to be remedied and mitigated.</p> <p>Amend the objective to be clear that adverse effects of livestock access to sites of significance to mana whenua, and other sites of significant indigenous biodiversity values are to be avoided.</p>
Objective O46	Support with amendments	<p>The objective as currently worded does not define an outcome or a measurable objective. The objective should relate to the achievement of outcomes for water bodies, in particular the achievement of freshwater objectives and limits.</p>	<p>Amend the objective to provide clear outcomes to be achieved, including by amending the objective to:</p> <p>Discharges to land are managed to avoid the runoff or leaching of contaminants to water where those contaminants, by themselves or in combination with other contaminants, will cause the freshwater objectives and limits in this Plan to be exceeded.</p>
Objective O47	Support with amendments	<p>See comments for Objectives O42, O45 and O46.</p> <p>Because the objective is focussed on remedying existing adverse effects, the objective should have a time-bound outcome.</p>	<p>Amend the objective to provide a clear time-bound outcome statement within the objective, such as to avoid sediment-laden runoff to water where is will cause the freshwater objectives and limits in this Plan to be exceeded, and</p>

Provision	Support/Opposition	Discussion	Relief sought
Objective O48	Support with amendments	Stormwater discharges should be managed to contribute to achieving the freshwater objectives and limits in the Plan. As such, those outcomes should be referred to as an outcome in the objective. As well as meeting the objectives and limits at a water body scale, discharges directly to water should also be managed to avoid, remedy and mitigate localised adverse effects.	reduce existing sediment discharges to a level that will cause the freshwater objectives and limits to be met by no later than 2030. Amend the objective to provide a clear time-bound outcome statement within the objective, such as ... to a level consistent with achieving the objectives and limits in this Plan, and to avoid, remedy and mitigate local adverse effects on life-supporting capacity, mahinga kai, and significant sites.
Objective O49	Support		Retain as notified
Objective O50	Support in part	Rangitāne support the progressive reduction of existing discharges of wastewater to water bodies, including coastal water, and consider that a defined timeframe should be included in the Plan for this to occur. Discharge of wastewater to water bodies, even if it is treated to some degree, strongly conflicts with providing for the relationship of Maori, and their culture and traditions, with water and water bodies. It significantly impacts on kai moana and customary use.  The Plan should direct that new or increased discharges of wastewater to water should not be allowed, and that existing discharges should be	Amend the objective to achieve the following:  New or increases in existing discharges of wastewater to fresh water are not allowed and existing discharges of wastewater to water are progressively reduced so that they are fully phased out by no later than 2030.

Provision	Support/Opposition	Discussion	Relief sought
Objective O51	Support with amendments	The discharge of hazardous substances to the environment should, in the first instance, be phased out. The discharge of hazardous substances to the environment should, in the first instance, be avoided.	Amend the object to be clear that the discharge of hazardous substances into the environment is to be avoided as a first priority and where there are no alternatives to discharging hazardous substances, strict requirements around protecting human health, property and the environment should be in place.
Objective O52	Support in part	Rangitāne supports the intent of the objective to improve and maximise the efficiency of water allocation and use. It is not appropriate that the objective enables water storage outside river beds. There is no direct relationship between water storage and efficient allocation and use.	Amend the objective by deleting (e).
New Objective O52A		The plan does not include any objectives that address outcomes around the taking, use, damming and diversion of fresh water necessary to guide policies and rules managing those activities.	Add an objective in the Plan which sets out the outcomes associated with taking, using, damming and diversion of water, including:  The taking, use, damming and diversion of fresh water is managed to: (a) avoid the transfer of water between water bodies that

Provision	Support/Opposition	Discussion	Relief sought
			<p>are not within the same catchment or between catchments.</p> <p>(b) Protect the Mauri of rivers, lakes, wetlands, groundwater and other natural resources,</p> <p>(c) Recognise and provide for the relationship of Maori, and their culture and traditions, with land, water, waahi tapu, sites of significance and other taonga,</p> <p>(d) Avoid adverse effects on Nga Taonga Nui a Kiwa and Outstanding natural landscapes and features (including Outstanding water bodies)</p> <p>(e) Safeguard ecosystem health and mahinga kai</p>
Objective O53	Support with amendments	It appears that the terms "operational requirement" and "functional need" both represent the same concepts when it comes to activities locating within the coastal marine area, however the definition of 'operational requirement' is inappropriately broad.	<p>Amend the objective to state:</p> <p><del>Use and development Activities shall not be located in the coastal marine area</del> <u>has except where they have a functional need to be located there.</u></p>

Provision	Support/Opposition	Discussion	Relief sought
		It is recognised that the objective seeks to give effect to policy 6(2)(c)&(d) of the NZCPS however the wording of the objective should be amended to more closely align with the wording in the NZCPS.	
Objectives O54 to 56	Support		Retain as notified
Objective O58	Support		Retain as notified
Objective O59	Support		Retain as notified

## Section 4 - Policies

### General submission points on all Policies in Section 4

Discussion	Relief sought
Rangitāne o Wairarapa has requested amendments to a number of objectives in the Proposed Plan. In order for the policy cascade as set out in s67(1) RMA to be effective, consequential changes should be made to the policies and other provisions in order for the objectives of the Plan to be achieved.	Retain, delete, or amend policies in Section 4 of the Plan to ensure that they will, individually and collectively, direct how the objectives, as retained or amended by the Rangitāne submission, are to be achieved.
A number of policies in Section 4 use the term 'minimised' in relation to outcomes associated with the management of adverse effects. Despite a policy being included that attempts to provide some definition of what 'minimised' means, the policy is overly broad and relies on uncertain concepts such as good management practice.	Amend all policies that currently refer to effects being minimised so that the policies themselves are clear as to the management outcomes to be achieved when managing adverse effects. There should be a preference for using terminology used in s5 of the Act.



**Submission points on specific provisions**

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
Policy P1 - Ki uta ki tai and integrated catchment management	Support	<p>Rangitāne supports policy P1 and its introduction of the principles of integrated catchment management and the holistic view that this encourages in the management of natural resources.</p> <p>To be consistent with the objectives of the Plan, the policy should relate to the management of the coastal environmental as well. This is particularly important for the management of significant waterbodies such as Lake Onoke.</p> <p>The policy refers to using catchments as the spatial management unit, but often resources are more effectively managed at a sub-catchment level.</p>	<p>Amend the policy to relate to:</p> <ul style="list-style-type: none"> <li>management of the coastal environment as well as fresh water and terrestrial resources</li> <li>provide for decision making at the catchment and sub-catchment scale as appropriate.</li> </ul>
Policy P3 - Precautionary approach	Support	<p>Rangitāne supports the management of use and development through a precautionary approach where there is limited information regard adverse effects of an activity.</p>	Retain this Policy as notified.
Policy P4 - Minimising adverse effects	Oppose	<p>Rangitāne opposes the use of the term 'minimising' when it comes to the consideration of adverse effects.</p> <p>The Resource Management Act states in s.5(2)(c) that sustainable management of natural and</p>	<p>Delete Policy P4 and make consequential changes to other policies in the Proposed Plan that rely on this policy.</p>

Provision	Support/Opposition	Discussion	Relief sought
Policy P6	Support with amendments	<p>physical resources can only be achieved while adverse effects of activities on the environment are avoided, remedied or mitigated.</p> <p>In relation to managing resource to limits, the management approaches set out in the policy do not provide certainty in terms of achieving those limits.</p> <p>Rangitāne consider it more appropriate that provisions, including policies, are written in a manner that is consistent with the terminology of the RMA, rather than the introduction of new terms such as 'minimising' and 'reducing'. Objectives and policies should be written to describe the outcome and/or action that is to be taken in terms that are specific to the matters being addressed.</p> <p>The policy assumes that resource consents will be granted for use of fully allocated or over-allocated resources, which is contrary to giving effect to the NPSFM.</p> <p>All resource consents that relate to a single resource that is being managed on an integrated basis should be aligned in terms of their expiry dates, particularly where an adaptive management approach is required.</p>	Amend the policy and associated rules so that it requires common catchment expiries for resource consents in circumstances where the consents relate to a resource that is subject to allocation or where the exercise of the resource consent affects the implementation of an integrated solution to manage water quality, quantity or habitat.
Policy P7 - Uses of land and water	Oppose	Rangitāne consider that this policy is redundant and is simply re-stating objectives in the Plan. It performs no role in achieving the objectives of the	Delete the policy.

Provision	Support/Opposition	Discussion	Relief sought
Policy P8 - Beneficial activities	Support with amendments	<p>plan and should therefore be deleted.</p> <p>Rangitāne support the intent of the policy to recognise those activities that are beneficial and generally appropriate, however the policy should be more directive to decision makers in terms of providing for those activities.</p> <p>The nature and extent of the effects of the activities listed in (h) is not sufficiently clear to support the policy giving blanket support to those activities. This clause of the policy should be removed or refined to describe a specific set of structures and uses.</p> <p>Rangitāne does not agree that activities necessary to maintain safe navigation will always be appropriate (k), as these could extend to activities such as dredging and deposition of material on the sea bed or other sensitive sites. This clause of the policy should be removed or refined to describe a specific set of activities and uses.</p>	<p>Amend the policy so that the listed activities (subject to the further amendments below) are recognised and provided for.</p> <p>Remove clauses (h) and (k) or refined to describe a specific set of activities and uses.</p>
Policy P9	Support with amendments	<p>Rangitāne support this policy to avoid reducing public access to and along the coastal marine area and the beds of lakes and rivers except as necessary to protect sites identified in (a).</p> <p>However the exception provided to (a) to (c)</p>	<p>Retain Policy P9(a) as notified.</p> <p>Amend the exception to apply only to (a) and (b).</p>

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Policy P10	Support with amendments	<p>should only apply to (a) and (b) because (c) are, by definition, temporary activities.</p> <p>Rangitāne support the intent of the policy as it seeks to manage adverse effects on contact recreation and Māori customary use in fresh and coastal water.</p> <p>This policy aligns with the purpose of the Resource Management Act to sustainably manage resources and also recognises the relationship of Māori and their culture and traditions with their ancestral water as required as a matter of national importance under s.6 of the RMA.</p> <p>However the policy should be more directive than simply requiring that regard be given to the adverse effects, and instead should direct that adverse effects are avoided, remedied and mitigated. The policy should also be extended to apply to more than just flows in rivers, and should extend to levels and flows in rivers and lakes and wetlands, and should relate to quality in the coastal environment.</p> <p>The policy uses the term 'community objectives' which are not defined in the Plan. The policy should address the objectives of the Plan.</p>	<p>Amend the policy so that it states that natural resources shall be managed to avoid, remedy and mitigate actual and potential adverse effects on the listed matters.</p> <p>Clause (a) should be amended to apply to flows and levels in lakes, wetlands and rivers, and the coastal marine area.</p> <p>Clause (a) should be amended to relate to the relevant objectives of the Plan rather than the undefined term 'community objectives'.</p>
Policy P11	Oppose	<p>Rangitāne opposes policy P11 to the extent that it does not factor into its consideration the potential</p>	<p>Policy P11 be amended to reflect that there are adverse effects from</p>

Provision	Support/Opposition	Discussion	Relief sought
Policies P12 to P14		<p>for adverse effects from damming on sites with significant mana whenua values, sites with significant indigenous biodiversity values and the habitat of indigenous fish species. The policy only 'tells one side of the story' and should be either amended to address all matters relevant to managing damming and storing water, or the policy should be deleted.</p> <p>The policies of the Plan as they relate to regionally significant infrastructure and renewable energy generation activities (Policies P12 to P14) are focussed on the benefits of that infrastructure or the protection of it for other activities. The Plan should provide specific direction in relation to the management of new and existing infrastructure of this kind to avoid, remedy and mitigate adverse effects from its development, operation, use and upgrading.</p> <p>The definition of 'Regionally Significant Infrastructure' includes infrastructure such as municipal wastewater treatment plants that can have significant adverse effects on natural resources and sites of significance to Rangitāne. As such, Policy P13 is not an accurate in that the benefit of those activities does not extend across all resources and values (for example, it is not beneficial to Maori cultural values to discharge wastewater into water bodies that have</p>	<p>damming, and in particular that these adverse effects can impact irreversibly on indigenous biodiversity, and mana whenua values.</p> <p>Alternatively, the policy should be deleted.</p> <p>The policy should be amended to state where the benefit is accrued and to be clear that adverse effects of the operation, use, maintenance and upgrade can still have adverse effects on the environment and need to be managed.</p> <p>Add in a new policy to ensure that new, or increases in scale or extent of existing, regionally significant infrastructure and renewable energy generation facilities shall avoid causing adverse effects on sites in Schedules A to F, H and J.</p>

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Policy P17 - Maori	Support with amendments	<p>significance to Maori). The policy should be refined to state where the benefit is accrued and to be clear that adverse effects of the operation, use, maintenance and upgrade can still have adverse effects on the environment and need to be managed.</p> <p>A new policy should be added that addresses new activities or increases in the extent or scale of existing activities.</p>	Policy P17: Maori The mauri of fresh and coastal waters shall be recognised as being important to Māori and <u>sustained and enhanced</u> by: (a) <u>managing-avoiding</u> , <u>remediating</u> or <u>mitigating</u> the individual and cumulative <u>adverse</u> effects of activities that may impact on mauri <del>in the manner set-out in the rest of the Plan</del> , including by not allowing activities that will have <u>significant adverse effects on the quality and quantity of fresh and coastal water and their associated ecosystems</u> , and (b) providing for activities that sustain and enhance mauri, and (c) <u>recognising and providing</u>
		<p>Clause (a) uses the phrase “in the manner set out in the rest of the Plan”. If this is intended to refer to a cross-reference to other specific objectives and policies, these references should be specifically included. Alternatively, this phrase should be deleted so that the policy operates in its own right alongside other objectives and policies.</p> <p>Consistent with s6(e) of the Act, and Objective O3, the policy should provide for Maori to be sustained and enhanced.</p> <p>The policy refers to ‘managing’ the effects of activity but does not describe what is to be achieved.</p>	

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<p>Policy P18 – Mana whenua relationships with Nga Taonga Nui a Kiwa</p>	<p>Support with amendments</p>	<p>The policy currently does not provide direction on the management of Nga Taonga nui a Kiwa. It should provide protection of the characteristics and qualities of those sites and areas in order to provide for the significant relationship Rangitāne and other iwi have with those sites.</p> <p>The note referring to the Waitua Committee process is redundant and does not reflect the statutory obligations of the Regional Council under the RMA, and should be deleted.</p>	<p>for the role of kaitiaki in sustaining mauri, <u>including by enabling participation of kaitiaki as affected parties in resource consent processes involving discharges to water or discharges to land that may enter water, and activities affecting Sites of Significance to Mana Whenua, water bodies with outstanding cultural and spiritual values and Nga Taonga Nui a Kiwi.</u></p>
			<p>Amend the policy and associated rules to provide for the following</p> <p>The relationships between mana whenua and Nga Huanga o Ngā Taonga Nui a Kiwa identified in Schedule B (Ngā Taonga Nui a Kiwa) will be recognised and provided for by:</p> <p>(a) <u>Protecting nga taonga nui a kiwa from use and development that may adversely affect the characteristics and qualities that contribute to Nga Taonga Nui a Kiwa Huanga</u></p>

Provision	Support/Opposition	Discussion	Relief sought
			<p>(b) having particular regard to the values and Ngā Taonga Nui a Kiwa huanga identified in Schedule B (Ngā Taonga Nui a Kiwa), and supporting iwi-led restoration initiatives within Ngā Taonga Nui a Kiwa, and</p> <p>(c) informing iwi authorities of relevant resource consents relating to Ngā Taonga Nui a Kiwa, and the Wellington Regional Council and iwi authorities implementing kaupapa Māori monitoring of Ngā Taonga Nui a Kiwa.</p> <p>(d)</p> <p>(e)</p>
Policy P19 - Māori values	Support with amendments	<p>Rangitāne support the overall intent of the policy which seeks to recognise the cultural relationship of Māori to air, land and water and not allow adverse effects on this relationship.</p> <p>As noted above, the term 'minimised' is not appropriate as it is not certain and is not consistent</p>	<p>Delete the note.</p> <p>Amend the policy by replacing 'minimised' with 'avoided'.</p>



Provision	Support/Opposition	Discussion	Relief sought
Policy P20 - Exercise of kaitiakitanga	Support with amendments	with the RMA requirement to avoid, remedy and mitigate adverse effects. The intent of the policy is supported but the policy should provide more direction around the involvement of mana whenua in decision-making around natural resources. Rangitāne is kaitiaki for all natural resources within the Wairarapa area, including but not limited to the identified sites of significance and nga taonga nui a kiwa. Therefore, the Policy should recognise this wider responsibility and provide for Rangitāne involvement in decision making associated with all of those resources.	Amend the policy to provide for Rangitāne involvement as kaitiaki in decision making and management associated with all natural resources within our takiwā.
Policy P21	Support with amendments	Rangitāne support this policy but note that the obligations of s95E of the RMA in relation to determining potentially affected persons for the purposes of resource consent applications are that the Council must have regard to every relevant statutory acknowledgement. Rangitāne is currently participating in Treaty of Waitangi claim settlement negotiations with the Crown, which are likely to result in statutory acknowledgements. These may not be incorporated into the Proposed Plan immediately upon coming into effect but the Council should still have regard to them.	Amend (b) to refer to the statutory acknowledgements in Schedule D and other relevant statutory acknowledgments.
Policy P22 - Ecosystem values of estuaries	Support with amendment	Rangitāne are generally supportive of the intent of the policy to avoid significant adverse effects on ecosystem values of estuaries.	Amend policy P22 as follows:  Significant adverse effects must be avoided and all other adverse

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		<p>The reference only to 'significant' adverse effects leaves the policy silent on the management of other adverse effects, which should be avoided, remedied or mitigated. In the case of these habitats being areas of outstanding natural character or outstanding natural features (water bodies), all adverse effects (not just significant) should be avoided.</p> <p>Rangitāne also seek to strengthen the policy by replacing "shall" with "must".</p>	<p>effects must be avoided, remedied or mitigated.</p> <p>Amend the policy to state that where estuaries are outstanding water bodies, or areas of outstanding natural character, adverse effects must be avoided.</p>
<p>Policy P23 - Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour and Lake Wairarapa.</p>	<p>Support with amendments</p>	<p>Rangitāne support the intent of the policy to the extent that it seeks to restore the ecological health and significant values of, in particular, Lake Wairarapa.</p> <p>However, Rangitāne consider that the whole of Wairarapa Moana should be referenced in place of Lake Wairarapa. Wairarapa Moana is a system of lakes (including Lake Wairarapa), wetlands and surrounding land and as such, requires a holistic overview in terms of ecological health and restoration and should be managed as a single system.</p> <p>Rangitāne seeks that the definition of Wairarapa Moana be amended to reflect this, and to include specific reference to the water, along with the</p>	<p>Amend policy P23 and associated rules to achieve the following:</p> <p>Policy P23: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa <u>Moana</u></p> <p>The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa <u>Moana</u> will be restored overtime by:</p> <p>(a) managing activities to reduce sedimentation rates and pollutant inputs to <u>levels that</u></p>

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Policy 24 - Outstanding natural character	Support with amendments	<p>beds of Lake Wairarapa and Lake Onoke.</p> <p>The policy should be more directive in terms of the outcomes that are to be achieved in order for it to be effective in achieving the objectives of the Plan.</p>	<p>support <u>healthy ecosystems, natural processes and mahinga kai</u>, and</p> <p>(b) <u>managing erosion-prone land and riparian margins in their catchments to reduce inputs of nutrients, sediment and pathogens to levels that support healthy ecosystems, natural processes and mahinga kai</u>, and</p> <p>(c) <u>undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.</u></p>
		<p>Rangitāne generally supports the intent of Policy P24 to preserve areas of outstanding natural character in the coastal marine area.</p> <p>Rangitāne seek that the wording of the policy be amended to more closely align with the wording of the NZCPS to ensure consistency.</p> <p>Rangitāne consider that subparts (c) and (d) are not required. (c) is covered by (a) and (b) above and (d) focuses on just one of the elements of natural character. Rangitāne consider it inappropriate to specifically mention only one of the many elements which make up natural</p>	<p>Rangitāne seek to amend Policy P24 as follows:</p> <p>Areas of outstanding natural character in the coastal marine area will be preserved and protected by:</p> <p>(a) <u>avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and</u></p> <p>(b) <u>where adverse effects cannot be avoided as</u></p>

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		<p>character, particularly considering that the work to identify these areas has not yet been completed.</p> <p>The Regional Council has not identified areas of outstanding natural character in the Proposed Plan. For this policy to be effective and efficient, areas of outstanding natural character should be identified and included in the Plan.</p> <p>If the Regional Council does not identify and map areas of outstanding natural character, Wairarapa Moana should be mapped and included in the Proposed Plan as an area of outstanding natural character.</p>	<p><u>described in (a), by not allowing activities that may cause adverse effects on areas of outstanding natural character</u></p> <p>(c) requiring <u>any</u> use and development to be of a type, scale and intensity that will <u>maintain</u> <u>protect</u> the natural character values of the area, and</p> <p>(e) <del>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</del></p> <p>(e) <del>maintaining the high levels of naturalness of these areas, and</del> avoiding the adverse effects of activities, including those located outside the <u>coastal marine area</u>, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</p> <p>Rangitāne also consider that it may</p>

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Policy P25 - Natural Character	Support with amendments	<p>Rangitāne supports the general intent of Policy P24 which seeks to avoid significant adverse effects on natural character and avoid, remedy and mitigate other adverse effects.</p> <p>Rangitāne consider that some amendments to the policy are required to ensure that it aligns with the wording in the NZCPS and s6 RMA. In particular, clause (d) is contrary to s6 insofar as that section directs that natural character is to be protected from inappropriate use and development.</p> <p>The NZCPS directs the Council to map at least areas of high natural character in the coastal environment. The Council should undertake that assessment and mapping exercise and include it in the Proposed Plan.</p>	<p>be appropriate to amend the policies and objectives addressing natural character in the coastal marine area once assessment work has been completed to identify the natural character values.</p> <p>Add a new Schedule to the Proposed Plan for areas of outstanding natural character in include Wairarapa Moana in that schedule.</p>
			<p>Rangitāne seek the following changes to Policy P25:</p> <p>Policy P25: Natural character</p> <p>Use and development <del>shall</del> <u>must be managed to avoid</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, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</p> <p>(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural</p>

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			<p>processes and patterns, and the movement of water, and</p> <p>(b) the presence or absence of structures and buildings, and</p> <p>(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</p> <p>(e) <del>whether it is practicable to protect natural character from inappropriate use and development through:</del></p> <p>(i) <del>using an alternative location, or form of development that would be more appropriate to that location, and</del></p> <p>(ii) <del>considering the extent to which functional need or existing use limits location and development options.</del></p> <p>The NZCPS directs the Council to map at least areas of high natural character in the coastal environment. The Council should undertake that assessment and mapping exercise and include it in</p>

Provision	Support/Opposition	Discussion	Relief sought
			<p>the Proposed Plan.</p> <p>Rangitāne also consider that it may be appropriate to amend the policies and objectives addressing natural character in the coastal marine area once assessment work has been completed to identify the natural character values.</p>
<p>Policy P26 - Natural Processes</p>	<p>Support with amendments</p>	<p>Rangitāne generally support the intent of the policy to manage the effects of use and development on the integrity and functioning of natural processes.</p> <p>Rangitāne consider the wording of the policy should be strengthened and more closely aligned with the purpose of the Resource Management Act under s.5 which seeks to avoid, remedy or mitigate adverse effects on the environment. The policy should be considered in the context of natural processes being a component of natural character in the case of the coastal environment, rivers, lakes and their margins, and wetlands, in which case adverse effects should be avoided in line with preserving natural character.</p>	<p>Rangitāne seek the following amendments to Policy P26:</p> <p>Policy P26: Natural processes</p> <p>Use and development will be managed to <del>minimise</del> <u>avoid, remedy or mitigate adverse effects</u> on the integrity and functioning of natural processes.</p>
<p>Policy P31 - Aquatic ecosystem health and mahinga kai</p>	<p>Support with amendments</p>	<p>Rangitāne place significant value on ensuring that health of biodiversity, aquatic ecosystem health and mahinga kai is maintained and improved to:</p>	<p>Rangitāne seek that the wording of P31 be amended as follows to provide clearer direction to plan</p>

Provision	Support/Opposition	Discussion	Relief sought
(a) - (g)		<ul style="list-style-type: none"> <li>Retain the natural form and characteristics of water bodies</li> <li>Avoid adverse effects on aquatic species, and in particular native aquatic species particularly at times of breeding, spawning and migration</li> <li>Avoiding, adverse effects on riparian habitats</li> <li>Avoiding the introduction and spread of plant and animal pest species</li> </ul> <p>The subparts of Policy P31 seek to “minimise adverse effects” in all but (e) and (g). The term “minimise” does not provide clear direction to decision makers or plan users as to the action to achieve or implement the relevant objectives. Rangitāne are of the view that the language of the policy should align with the language used in the Resource Management Act to manage effects on the environment, avoid, remedy or mitigate.</p>	<p>users and decision makers:</p> <ul style="list-style-type: none"> <li>(a) Minimise be replaced with avoid, to reflect the need to preserve natural character and protect it from inappropriate use and development.</li> <li>(b) Minimise to be replaced with avoid</li> <li>(c) Minimise to be replaced with avoid</li> <li>(d) Minimise to be replaced with avoid</li> <li>(e) Support as notified</li> <li>(f) Minimise to be replaced with avoid</li> </ul>
Policy P33 - Protecting indigenous fish habitat	Support with amendment	<p>Rangitāne support the avoidance of activities with more than minor adverse effects on indigenous fish species as specified in Policy P33.</p> <p>Clause (c) of the policy should also require avoidance of adverse effects on the natural fluctuations of flows during spawning and migration, as often these lifecycle events coincide</p>	<p>Policy P33 be amended to replace “shall” with “must”</p> <p>Amend clause (c) should address the following:  Damming, diversion or taking of water which leads to a reduction in flow or a reduction in the natural</p>



Provision	Support/Opposition	Discussion	Relief sought
		<p>with or are triggered by flow changes.</p> <p>Rangitāne suggest that the wording of the policy be amended to replace the word "shall" with "must" to give clearer direction to plan users and decision makers.</p>	<p>flow variability that are necessary for the migration or spawning of indigenous fish.</p>
Policy P34 - Fish passage	Support with amendment	<p>Rangitāne support the overall intent of the policy to avoid barriers to the movement of indigenous fish and koura species, we suggest that the wording of the policy be amended to replace the word "shall" with "must" to give clearer direction to plan users and decision makers.</p>	<p>Policy P34 be amended to replace "shall" with "must"</p>
Policy P35 - Restoring fish passage	Support with amendment	<p>While Rangitāne support the overall intent of the policy, to restore the passage of indigenous fish and koura, we suggest that the wording of the policy be amended to replace the word "shall" with "must" to give clearer direction to plan users and decision makers.</p>	<p>Policy P35 be amended to replace "shall" with "must"</p>
Policy P36 - Effects on indigenous bird habitat	Support with amendment	<p>The policy seeks to minimise the adverse effects of use and development on the habitats of indigenous birds in the CMA, wetlands, lakes, rivers and their margins.</p> <p>Rangitāne recommend that the policy direction be stronger in order to protect these habitats.</p> <p>Rangitāne therefore request that the word "minimised" be replaced with "avoid".</p> <p>In addition, Rangitāne consider that there are</p>	<p>Policy P36 be amended to ensure the protection of all habitats of indigenous birds as follows:</p> <p>Policy P36: Effects on indigenous bird habitat</p> <p>The adverse effects of use and development on the habitats of indigenous birds <u>including</u> in the coastal marine area, wetlands and</p>

Provision	Support/Opposition	Discussion	Relief sought
Policy P37 - Values of wetlands	Support with amendments	<p>locations outside of the CMA, wetlands, lakes, rivers and their margins that are habitat for indigenous birds e.g areas of native forest, coastal dunes outside of the CMA that may be affected by activities controlled by the Regional Plan (such as earthworks and vegetation clearance) . Rangitāne therefore seek to ensure the protection of all habitats for indigenous birds and as such, seek to amend the policy accordingly.</p> <p>The wording of Policy P37 needs to be amended to clarify that it is the values of the wetlands that are being managed and not the values of the activities.</p> <p>Rangitāne also consider that the policy needs to be clarified and strengthened to ensure that it is clear that it is the adverse effects from activities in and adjacent to natural wetlands that can effect the values of that natural wetland.</p>	<p><u>beds of lakes and rivers and their beds and margins for breeding, roosting, feeding, and migration shall must be minimised avoided.</u></p>
			<p>Policy 37 be amended to ensure that the values of wetlands are maintained:</p> <p>Policy P37: Values of wetlands</p> <p><u>Adverse effects from A activities in and adjacent to natural wetlands shall must be avoided, remedied or mitigated to protect be managed to maintain their values of the natural wetlands including:</u></p> <p>(a) as habitat for indigenous flora and fauna, and</p> <p>(b) for their significance to mana whenua, and</p> <p>(c) for their role in the hydrological cycle including flood protection, and</p>

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Policy P38 – Restoration of wetlands		The title of the policy is somewhat misleading as the policy addresses both the restoration of natural wetlands, together with the construction of artificial wetlands.	(d) for nutrient attenuation, and (e) as a fisheries resource, and (f) for recreation.  Retain policy as notified but amend the title of the policy to reflect the content.
Policy P39 – Adverse effects on outstanding water bodies	Support with amendment	Rangitāne supports the intent of the policy to avoid adverse effects from use and development on outstanding water bodies.  Rangitāne feel however that the policy should be strengthened to replace the word “shall” with “must”.	Amend policy P39 as follows:  replace the word “shall” with “must”
Policy P40 Ecosystems and habitats with significant indigenous biodiversity values	Support with amendment	Rangitāne generally supports the policy.  It is not clear from (c), whether there are significant natural wetlands, in addition to those contained in Schedule F3, that the Council is aware of. If there are additional sites, Rangitāne seek clarification over why they are not included within Schedule F3 and therefore protected by the Plan?	All known significant natural wetlands must be included in Schedule F3 of the Plan.
Policy P41 Managing adverse effects on ecosystems and habitats with significant indigenous	Support with amendment	Rangitāne generally supports the policy	Retain as notified

Provision		Support/Opposition		Discussion		Relief sought	
biodiversity values							
Policy P42 - Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values	Support with amendment			Rangitāne generally supports the policy		Retain as notified	
Policy P43 - Restoration and management plans	Support with amendment			The policy does not make it clear that it relates only to the restoration of wetlands.		Amend the policy to clarify that it relates only to activities necessary for the restoration of wetlands.	
Policy P44 Protection and restoration of sites with significant mana whenua values	Support with amendment			Rangitāne support the general direction of the policy to protect and/or restore sites with significant mana whenua value.  The policy is slightly clearer than the objective which states "protect and restore". However, in line with the amendment recommended for Objective O33 Rangitāne seek that the wording of the policy be amended to clarify that restoration may not be appropriate in all instances.		Rangitāne request that policy P44 be amended as follows:  Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/ <del>or</del> where they have been <u>degraded</u> , restored	
Policy P45 Managing adverse effects on sites with significant mana whenua values	Support with amendment			The policy as currently drafted may have the effect of restricting mana whenua activities on sites of significance. The policy should be reworded to focus on activities with potential adverse effects on those sites.  Rangitāne does not agree with the approach of the policy, which provides a gateway for significant adverse effects to occur.		Amend the policy and associated rules to achieve the following:  Activities that have adverse effects on sites with significant mana whenua values identified in Schedule C (mana whenua) must be avoided.	

Provision	Support/Opposition	Discussion	Relief sought
Policy P46 Managing adverse effects on sites with significant heritage value	Support with amendments	There are very few historic heritage sites of Maori origin identified in Schedule E of the Plan. Within Wairarapa there are a large number of archaeological sites of significance to Rangitāne and these should be protected through the Regional Plan. As a minimum, sites in the New Zealand Archaeological Association register should be protected by the Plan.	Amend the Plan, including Schedule E to include a list of archaeological sites (that are appropriate for publication) of importance to mana whenua and provide protection for those sites via policies and rules in the Plan.
Policy P48	Support with amendments	<p>Rangitāne supports the intent of the policy to protect outstanding natural features and landscapes. As discussed above, this is difficult given that these areas have not been identified as part of the Plan review.</p> <p>The Plan effectively limits protection to certain areas despite no assessment being undertaken to identify where the outstanding natural features and landscapes in the Region may be. There is significant risk that, without comprehensive regional assessments being undertaken, case-by-case assessments focussed at the local scale will not adequately identify areas with these values and therefore they may not be protected. The approach of case-by-case assessment, which is required to satisfy this policy, is also likely to be costly for applicants and other parties involved in resource consent processes (assuming resource consents are triggered in these areas and that there is scope within those consents through</p>	Undertake an assessment to identify the outstanding natural features and landscapes in the Region and include them in the Proposed Plan, along with appropriate policies, rules and other methods.

Provision	Support/Opposition	Discussion	Relief sought
<p>Policy P49 Use and development adjacent to outstanding natural features and landscapes and special amenity areas</p>	<p>Support with amendments</p>	<p>matters of control and discretion to address these matters).</p> <p>The policy seeks to manage the use and development in the coastal marine area from affecting sites of outstanding natural features and landscapes where these are adjacent.</p> <p>Rangitāne considers that while the consideration of adverse effects on sites adjacent to an outstanding natural feature or landscapes is important, the policy is too narrow in that it only applies to adjacent activities occurring within the coastal marine area.</p> <p>In addition, without an assessment to understand the characteristics and values of outstanding natural features and landscapes, it is not appropriate for the policy to be limited to considering the protection of visual and biophysical linkages between the site and the outstanding natural feature or landscape.</p> <p>Rangitāne is particularly concerned with the potential for adverse effects on cultural and associational values associated with areas of outstanding natural features and landscapes.</p>	<p>The Council undertake an assessment and identification of sites considered to be outstanding natural features and landscapes (including the areas within the coastal environment near existing mapped ONF and ONL where activities may affect those landscapes and features) and to develop a suite of objectives and policies to appropriately manage activities in these areas.</p>
<p>Policy P50 Significant</p>	<p>Support with amendment</p>	<p>The policy should direct the avoidance of all</p>	<p>Amend the policy to direct the</p>

Provision	Support/Opposition	Discussion	Relief sought
geological items		adverse effects on significant geological features rather than just significant adverse effects.	avoidance of all adverse effects on significant geological features rather than just significant adverse effects.
Policies P52 to P61 (discharges to air)	Support		Retain as notified
Policy P62 - Promoting discharges to land	Support with amendments	Rangitāne cultural and spiritual relationships with water, and their responsibility as katiaki of water resources, means that all contaminants should, where possible, be discharged to land and not to water, particularly in the case of discharges containing human or animal waste. Rangitāne do not consider that policy P62 goes far enough to protect mahinga kai, Māori customary uses and the general health of indigenous ecosystems.	Amend Policy P62 as follows:  Policy P62: <del>Promoting</del> <u>Requiring</u> discharges to land The discharge of contaminants to land shall occur in situations where direct discharge of contaminants to water will cause adverse effects on: (a) aquatic ecosystem health (b) mahinga kai (c) contact recreation, or (d) Māori customary use.
Policy P63	Support with amendment	Rangitāne supports policy P63 to the extent that it seeks to improve water quality for contact recreation and Māori customary use.  Rangitāne do not agree that this policy should be limited to those water bodies identified as priorities for improvement (contained in Schedule H2).	Amend policy P63 to ensure that the water quality of all water bodies is improved over time to ensure they are suitable for primary contact recreation, mahinga kai and Māori customary use.  Amend the policy to include a timeframe for achieving the

Provision	Support/Opposition	Discussion	Relief sought
		<p>Rangitāne consider that water quality should be improved to ensure all water bodies in the Wairarapa are suitable for primary contact recreation.</p> <p>The policy referring to possible Whaitua Committee outcomes is redundant and should be deleted.</p> <p>The Policy does not include a date by which the outcomes are to be achieved. Without a date, there is little drive for the outcomes to be achieved.</p>	<p>outcomes, which should be no later than 2030.</p>
New policy		<p>A new policy is required that directs how fresh water quality will be maintained in a state at least as good as it was at the time the review of the regional plan was initiated. This policy should be directive in terms of managing both point source and diffuse contributions of contaminants to water.</p>	<p>Add a new policy and associated rules that directs how fresh water quality will be maintained in a state at least as good as it was at the time the review of the regional plan was initiated. This policy should be directive in terms of managing both point source and diffuse contributions of contaminants to water.</p>
Policy P64 - Mixing waters	Support	<p>Rangitāne support the policy, which states that mixing of waters is inappropriate except where there are no adverse effects on mana whenua values.</p>	<p>Retain as notified</p>
Policy P65 - Minimising effects of nutrient	Support with amendment	<p>Rangitāne generally supports the intent of the policy to minimise the effects of nutrient discharge</p>	<p>Amend the Plan to put in place a management regime that will</p>



Provision	Support/Opposition	Discussion	Relief sought
discharges		<p>from agricultural activities with the potential to enter the water.</p> <p>Rangitāne seek to strengthen the policy and align it with the purpose of the RMA, to give effect to the NPSFM and the RPS, and to achieve the objectives of this Plan.</p> <p>The proposed approaches for managing non-point source discharges from agricultural activities is unlikely to meet the s32 test for being effective in achieving the objectives of the Plan. The reliance on 'good management practice' does not provide certainty as to outcomes and provides no assurance that contaminant discharges will be managed at a level that will, as a minimum, maintain water quality at the level it was at the time the plan review was initiated. The good management practices referred to in the Plan and on the Council's website are extremely limited in detail and provide little or no certainty as to effectiveness, implementation or outcomes.</p> <p>The Plan should be amended to put in place a management framework that is consistent with giving effect to the NPSFM, and should include the specification of freshwater objectives and limits, and efficient and effective methods to manage land use to achieve those limits. The management</p>	<p>ensure that the objectives and limits in the Proposed Plan will be achieved in a manner that is consistent with sustainable management, and gives effect to the NPSFM and the RPS. The management regime should include policies, rules and other methods that manage agricultural land use, associated discharges, and other discharges, either directly or indirectly, of contaminants to water (point source and non-point source). As a minimum outcomes, the management regime should ensure that water quality is maintained at the level it was at the time the review of the Regional Plans was initiated.</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>regime should involve the allocation of total catchment or sub-catchment nutrient loads (that are set at a level that will achieve the freshwater objectives and limits) to individual users using a mechanism that attributes a proportion of the total catchment or sub-catchment allocation to each user. The allocation of nutrients should be based on an efficient approach that allows for resource use efficiency to be maximised, including, where appropriate, the opportunity for redistribution of individual allocations among users using a transfer mechanism such as nutrient rights trading.</p> <p>The management approach adopted in the Proposed Plan may be an interim approach until such time as the Waitua Committees produce alternative management approaches, however the interim approach must be effective in achieving the objectives of the Plan.</p>	
Policy P66 – National Policy Statement for Freshwater Management requirements for discharges	Support	Rangitane support the policy to the extent that it gives effect to Policy A4 of the National Policy Statement for Freshwater Management.	Retain the policy as notified.
Policy P67 – Minimising effects of discharges	Support with amendments	Rangitane support the intent of the policy to reduce the effect of discharges.	Amend policy P67 as follows:

Provision	Support/Opposition	Discussion	Relief sought
Policy P68	Support with amendment	<p>Rangitāne do not support point source discharge to a river or stream and require that all discharge be land based as per sub-part (d).</p> <p>Where discharges to water are appropriate, this policy must be read in conjunction with the other policies and objectives of the Plan. Therefore, the wording of the policy should be brought into line with those other provisions.</p>	<p>Policy P67: <u>Minimising Avoiding, remedying or mitigating the adverse effects of discharges</u></p> <p>The adverse effects of discharges of contaminants to land and water will be <u>minimised avoided, remedied or mitigated</u> 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>
Policy P68	Support with amendment	Rangitāne oppose all discharge to fresh and coastal water bodies, regardless of the situation.	Rangitāne seek to amend policy p68 as follows:

Provision	Support/Opposition	Discussion	Relief sought
		<p>Discharge to water negatively impacts on the tangata whenua role as kaitiaki of the water body, adversely affects the mauri and impacts on kai moana. The exception provided in (a) for untreated wastewater to be discharged during extreme weather or system failures is not appropriate. The systems should be designed to contain overflows from weather-related events and system failures in a manner that avoids direct discharge to water.</p>	<p>Discharges to fresh and coastal water of:</p> <p>(a) untreated wastewater, except as a result of extreme weather-related overflows or wastewater system failures or from recreational boating activities, and</p> <p>(b) animal effluent from an animal effluent storage facility or from an area where animals are confined, and</p> <p>(c) untreated industrial or trade waste, and</p> <p>(d) untreated organic waste or leachate from storage of organic material shall be avoided.</p>
Policy P69	Support	Support the management of drinking water supplies	Retain as notified
Policy P70	Support with amendments	The policy is supported insofar as it requires, in part, a trajectory of improvement in existing activities in order to meet the objectives of the plan over time. This approach is supported provided that it is time-bound, that the improvements are meaningful and measurable, and that in water bodies where the objectives are	Amend the policy and other provisions in the Plan to ensure that improvements to existing discharges is time-bound, that the improvements are meaningful and measurable, and that in water bodies where the objectives are not

Provision	Support/Opposition	Discussion	Relief sought
Policy P73 to P78	Support with amendments	<p>not met, the discharge does not cause a further decline in water quality. The management of point source discharges of contaminants should be undertaken using the same system of accounting as the management of non-point source discharges.</p> <p>Clause (b) should be amended to refer to NPSFM terminology around allocation status, and should be amended to be clear that new discharges cannot cause water quality to degrade from the quality that exists and, where freshwater objectives are not met, the discharge is no allowed.</p> <p>Off-setting discharges of contaminants that do not maintain water quality, cause a freshwater objective or limit to be exceeded or further exceeded, is not appropriate.</p>	<p>met, the discharge does not cause a further decline in water quality. The management of point source discharges of contaminants should be undertaken using the same system of accounting as the management of non-point source discharges.</p> <p>Clause (b) should be amended to refer to NPSFM terminology around allocation status, and should be amended to be clear that new discharges cannot cause water quality to degrade from the quality that exists and, where freshwater objectives are not met, the discharge is no allowed.</p> <p>Clarify the policy so that it does not apply to new point source discharges of wastewater or other contaminants that are culturally offensive to Maori and their customs and traditions.</p> <p>Delete the reference off-setting residual adverse effects.</p>
Policy P73 to P78	Support with amendments	The proposed approach to stormwater	To ensure the Plan is directive in the

Provision	Support/Opposition	Discussion	Relief sought
Policies P80 to P84	Support with amendments	<p>management from municipal networks is generally supported, recognising that a tightly managed progression towards accurate management of discharges is appropriate. However to ensure the Plan is directive in the regard, the policies should include dates by which the outcomes will be achieved. That includes a date by which existing contamination of stormwater from wastewater networks is resolved. The discharge of human sewage via stormwater discharges to water is not appropriate and should be resolved as soon as practicable and not later than by 2030.</p> <p>The policy approach to avoiding new discharges of wastewater to fresh water is supported, however this should also apply to new discharges to coastal water.</p> <p>The management approach to consenting of existing discharges of wastewater to water requires more direct policy to achieve the outcomes of phasing direct discharges of wastewater to freshwater out by 2030. The technology, technical knowledge and availability of alternative discharge options supports a rapid move from existing discharges to water to discharges to land.</p>	<p>regard, the policies should include dates by which the outcomes will be achieved. That includes a date by which existing contamination of stormwater from wastewater networks is resolved. The discharge of human sewage via stormwater discharges to water is not appropriate and should be resolved as soon as practicable and not later than by 2030.</p> <p>Retain Policy P83 as notified.</p> <p>Include timeframes in the policy that prescribe the date by which all existing discharges of wastewater to water are to be phased out (being no later than 2030).</p> <p>Amend the policy to ensure that it clearly states that existing discharges of wastewater will be required to contribute to meeting freshwater limits and targets.</p> <p>Amend the policies and associated rules to provide that adverse effects on sites of significance to mana</p>

Provision	Support/Opposition	Discussion	Relief sought
Policy P90	Oppose	Discharges of hazardous substances are likely to have a significant adverse effects on mahinga kai, mauri and Rangitāne's relationship with natural resources and sites. Discharges of hazards substances should be avoided in the first instance and managed under significantly greater control that with best management practices (which are not clearly defined in the Plan).	whenua, nga taonga nui a kiwa and outstanding water bodies must be avoided, including by existing discharges. Amend the policy and associated rules so that it requires that discharges of hazardous substances shall not be allowed, except where adverse effects will be avoided.
Policy P91	Support with amendments	The adverse effects on fresh water from discharges from landfills should be avoided in the first instance rather than minimised. The policy should provide a cross-reference to policies that ensure that adverse effects on ecosystem health and mahinga kai are avoided. The policy should also be directive that any new or extended land fills shall be designed to avoid discharges that will have adverse effects on water, aquatic ecosystems and mahinga kai.	Amend the policy and associated rules so that adverse effects on fresh water from discharges from landfills should be avoided in the first instance rather than minimised. The policy should provide a cross-reference to policies that ensure that adverse effects on ecosystem health and mahinga kai are avoided. The policy should also be directive that any new or extended land fills shall be designed to avoid discharges that will have adverse effects on water, aquatic ecosystems and mahinga kai.
Policies P92 and P93	Support		Retain as notified
Policy P94	Support with amendments	The policy should be linked in terms of outcomes	Amend the policy so that it is linked

Provision	Support/Opposition	Discussion	Relief sought
Policy P95	Support with amendments	to other policies in the Proposed Plan. The consideration of discharges of collected animal effluent should extend to the contribution that discharges make to achieving freshwater outcomes and limits in the Plan, achieving taonga nui a kiwa. There should be express reference in the policy to animal effluent being managed in an integrated manner with all other point and non-point source discharges from the farming activity.	in terms of outcomes to other policies in the Proposed Plan. The consideration of discharges of collected animal effluent should extend to the contribution that discharges make to achieving freshwater outcomes and limits in the Plan, achieving outcomes for significant sites, including nga taonga nui a kiwa. There should be express reference in the policy to animal effluent being managed in an integrated manner with all other point and non-point source discharges from the farming activity.
Policy P96	Oppose	Discharges to land should not occur on sites of significance to mana whenua, including historic heritage sites, nga taonga nui a kiwa, unless the adverse effects on the values of those sites are avoided.  The policy is unlikely to be effective in achieving the objectives of the Plan, particularly in relation to management of water quality, ecosystem health and mahinga kai. The issues identified as part of the review of the regional plans clearly identifies that agricultural land use is a significant contributor to degraded water quality in the region, and is subsequently causing adverse	Amend the policy and associated rules to ensure that discharges to land will not occur on sites of significance to mana whenua unless the adverse effects on the values of those sites are avoided.  Delete the policy and replace it with a comprehensive policy or suite of policies (and associated rules) that manage agricultural land uses in a manner that will be effective in achieving the objectives of the Proposed Plan (as amended by this submission) and meeting the



Provision	Support/Opposition	Discussion	Relief sought
Policies P97 to P98	Support with amendments	<p>effects on ecosystems, ecosystem processes and community values associated with water bodies.</p> <p>The good management practices provided by the Council (the Plan cross-references to the Council's website) in relation to agriculture provide few if any details of good management practice and are, at best, information sheets providing some basic details of the issues. This provides no certainty of outcomes and does not satisfy the Regional Council's obligations to manage land use for the purposes set out in s30(1)(c).</p> <p>The proposed policies are generally supported, but should be amended to be clear that new earthworks and vegetation clearance that will cause accelerated erosion and/or discharges of sediment where the adverse effects on water bodies, including coastal water cannot be avoided, remedied or mitigated should not be allowed.</p> <p>The policy should be amended to direct that vegetation clearance, earthworks and forestry harvesting should avoid adverse effects on sites in Schedules A-F and H.</p>	<p>statutory obligations in relation to the RMA, the NZCPS, the NPSFM and the RPS. See relief sought for Policy P65.</p>
			<p>Amend the policy and associated rules:</p> <ul style="list-style-type: none"> <li>• that vegetation clearance, earthworks and forestry harvesting should avoid adverse effects on sites in Schedules A-F and H.</li> <li>• be clear that new earthworks and vegetation clearance that will cause accelerated erosion and/or discharges of sediment where the adverse effects on water bodies, including coastal water cannot be avoided, remedied or</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Policies P99	Support with amendments	<p>Policy P99 is drafted in a way that assumes sedimentation and discharges of other contaminants is going to occur as the primary outcome. The policy should be amended to focus on avoiding discharges of sediment and contaminants as a first priority, and then avoiding, remedying or mitigating adverse effects.</p> <p>Livestock access to water ways, wetlands, lakes and the coastal environment causes significant adverse effects on mahinga kai, Maori cultural and traditional values and activities, and sites with significant values. This is particularly the case for smaller tributaries, that naturally provide much of the habitat for aquatic species, including tuna and koura. The policy should be amended to ensure that stock that adversely affect those smaller tributaries are excluded from them</p>	<p>mitigated should not be allowed</p> <p>Amend Policy P99 and associated rules to focus on avoiding discharges of sediment and contaminants as a first priority, and then avoiding, remedying or mitigating adverse effects. Livestock that cause adverse effects on the beds and banks of water bodies, and on water quality, should be excluded.</p> <p>The policy and associated rules should be amended to ensure that stock that adversely affect those smaller tributaries are excluded from them.</p> <p>Amend the policy and associated rules to require that stock are excluded from sites in Schedules A-F and H.</p>
Policy P100	Support		Retain as notified
Policy P101	Support with amendments	The values that the policy should seek to maintain and restore should extend to mahinga kai.	Amend the policy by including reference to maintaining and enhancing mahinga kai
Policy P102	Support with amendments	The policy currently does not recognise the protection required for outstanding water bodies,	Amend the policy and associated rules so that the exclusions do not

Provision	Support/Opposition	Discussion	Relief sought
Policy P103	Support with amendments	<p>outstanding natural features and landscapes, and areas of high and outstanding natural character. It also does not recognise the protection of sites with significant mana whenua values.</p> <p>The policy does not reference sites of significance to mana whenua. While access to gravel and sand as a resource is acknowledged, extraction activities should be managed to avoid sites of significance to mana whenua in the first instance, and otherwise adverse effects should be avoided.</p>	<p>automatically apply to sites listed in Schedules A-F.</p> <p>Amend the policy and associated rules to avoid adverse effects of extraction activities on sites in Schedules A-F, including by avoiding activities in or near sites of significance to mana whenua in the first instance.</p>
Policy P104	Support		Retain as notified
Policy P105 - protecting trout habitat	Support with amendments	<p>While protection of the habitat of trout is generally supported, maintenance of fish passage for trout is not always appropriate in areas with high indigenous biodiversity value, particularly where rare and threatened species are present. Clause (d) of the policy should be amended to reflect this.</p>	<p>Amend (d) to maintain fish passage for trout except where restriction of trout passage is necessary to protect indigenous species.</p>
Policy P106	Support with amendment	<p>Maori gather plants from the beds of lakes, rivers and wetlands for cultural and traditional purposes and mahinga kai. The policy should provide for those activities to occur and protect plant species that are important to those values and traditions from being removed.</p>	<p>Amend the policy and associated rules to provide for Maori to gather plants from the beds of lakes, rivers and wetlands for cultural and traditional purposes and mahinga kai to occur and protect plant species that are important to those values and traditions from being removed.</p>
Policy P107	Support with amendments	<p>This policy appears to be intended to establish the water allocation framework of the Plan, however it</p>	<p>Amend the policy to fully describe the allocation and management</p>

Provision	Support/Opposition	Discussion	Relief sought
		only includes cross-references to parts of the Plan that actually implement the framework. The policy should be amended to fully describe the allocation and management framework, and then subsequent provisions of the plan should implement that management framework.	framework for the Plan. This should include clear statements that the allocation volumes, allocation blocks, minimum flows and levels are set in the Plan to achieve the objectives and that takes and uses shall be managed so that these allocation volumes, flows and levels are not exceeded.
Policies P108 to P110	Support		Retain as notified
Policy P111	Support with amendments	The Policy establishes a regime that allows for over-allocation of water bodies, which is contrary to giving effect to the NPSFM.	Amend the policy and associated rules so that it does not provide for takes below water quantity limits established in the Plan.
Policy P112	Support with amendments	Water takes below minimum flows for occasional emergency use is supported, however water takes for the purposes of rootstock protection should not be taken below the minimum flow limits in the Plan. At times of very low flows, aquatic ecosystems are under significant stress and the adverse effects on ecosystem health and mahinga kai will be exacerbated if naturally low flows are further diminished.	Remove reference to protection of root stock from the policy and associated rules.
Policy P113	Support		Retain as notified
Policy P114	Oppose	The policy provides for over allocation and should be deleted.	Delete the policy.
Policy P115	Support with amendments	This policy appears to be largely a repetition of Policy P111 and P112.	Amend the policy and associated rules so that it is consistent with giving effect to the NPSFM

Provision	Support/Opposition	Discussion	Relief sought
Policy P116	Support	The policy is not consistent with giving effect to the NPSFM as it provides for water takes to occur below fresh water limits and therefore causes over allocation.	including so that it does not allow water takes, other than those provided for in s14(3)(b) and (e), below minimum flows and levels.
Policy P117	Support with amendments	The taking of supplementary flows should only be provided for where the objectives of the Plan relating to safeguarding life-supporting capacity, safeguarding mahinga-kai, preserving natural character, and providing for natural processes, including ecosystem processes, are achieved. Maintaining variable flows within rivers is also important for sustaining mauri.	Retain as notified Amend the policy and associated rules so that it prescribes a supplementary take regime that is consistent with achieving the objectives, including providing for safeguarding life-supporting capacity, safeguarding mahinga-kai, preserving natural character, and providing for natural processes, including ecosystem processes, are achieved. Maintaining variable flows within rivers is also important for sustaining mauri.
Policies P118 to P119	Support		Retain as notified
Policy P120	Oppose	This policy is redundant and should be deleted.	Delete the policy.
Policy P121	Support		Retain as notified
Policy P122	Support with amendments	The policy should expand the purposes for variable river flows being maintained, including to maintain and enhance mahinga kai and natural character.	Amend the policy and associated rules so that it is consistent with achieving the objectives, including providing for safeguarding life-supporting capacity, safeguarding mahinga-kai, preserving natural character, and providing for natural processes, including ecosystem

Provision	Support/Opposition	Discussion	Relief sought
Policies P124 to P128 New policy	Support	To provide for integrated management of water takes and use, and associated land use and discharges, a policy should be inserted to direct decision makers to consider the broader context of water takes, uses, land use and discharges.	<p>processes, are achieved. Maintaining variable flows within rivers is also important for sustaining mauri.</p> <p>Retain as notified</p> <p>Add a new policy and associated rules that directs the following:</p> <p>Consistent with Objective O1, the taking and use of fresh water shall be managed in an integrated manner with associated land uses and discharges by considering and making decisions on resource consent applications for land use, water use and discharges together (at the same time) to ensure that the freshwater objectives and freshwater limits will be met.</p>
Policy P129	Support with amendments	The policy should provide a cross reference to other policies in the plan that require flow variability, natural processes and natural character to be provided for.	Amend the policy and associated rules to provide a cross reference to other policies in the plan that require flow variability, natural processes and natural character to be provided for.
Policies P130 to P131	Support		Retain as notified
Policy P132	Support with amendment	The policy does not provide for the avoidance of adverse effects on significant sites, including areas of high and outstanding natural character.	Amend the policy and associated rules so that the sites listed in Schedules A-F are protected from

Provision	Support/Opposition	Discussion	Relief sought
New policy		<p>There are current no policies in the Proposed Plan that directly direct the management of activities in the coastal environment associated with oil and gas exploration and extraction, nor the exploration and mining of materials on the sea bed. These activities have potentially significant adverse effects on the environment and on mana whenua values.</p> <p>The east coast of Wairarapa in particular has, for a long time, been considered a potential location of significant deposits of fossil fuels and other extractable natural resources. While the current level of activity is low, there is potential for exploration and extraction activities to occur and the Plan should have measures in place to control those activities.</p>	<p>inappropriate use and development</p> <p>Insert new policies and associated rules that manage oil and gas exploration and extraction, and the exploration and mining of materials from the sea floor.</p>
Policies P133 to P135	Support		Retain as notified
Policy P138	Support with amendments	<p>The intent of the policy is supported, however the reference to regionally significant infrastructure in (d) is inappropriate without qualifiers to only allow those activities where adverse effects on the sites listed are avoided.</p>	<p>Amend the policy and associated rules to add an additional qualifier for (d) that adverse effects on the sites listed in the first sentence of the policy must be avoided.</p>
Policy P142	Support with amendments	<p>The matters listed in (b) to (f) are the most common activities to take place in these areas and are therefore activities that pose a significant risk to the characteristics and values of the significant</p>	<p>Amend the policy and associated rules to direct that any of the exceptions in (b) to (d) must be managed to avoid adverse effects</p>

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
Policy P144 – Dumping in a site with significant values	Support with amendments	As such, it is not appropriate for the policy to 'open the door' to these activities without an appropriate qualifier to avoid adverse effects. The Plan does not define 'dumping' and it may therefore relate to dumping of refuse or culturally offensive material. The exceptions in (a) and (b) should therefore be deleted.	on the sites and their associated values. Amend the policy and associated rules to require that dumping on the sites listed in the policy shall be avoided.
Policy P145	Support with amendments	The policy does not provide qualifiers in relation to addressing adverse effects for the listed exceptions.	Amend the policy and associated rules to require that any reclamation, drainage or destruction on the coastal marine areas shall only occur if adverse effects on natural character, water quality, aquatic ecosystems and identified significant sites in Schedules A-F are avoided.

## Section 5 - Rules

### General submission points on Section 5 - Rules

<b>Discussion</b>	<b>Relief sought</b>
Rangitāne o Wairarapa has requested amendments to a number of objectives and policies in the Proposed Plan. In order for the policy cascade as set out in s67(1) RMA to be effective, consequential changes	Retain, delete, or amend rules in Section 5 of the Plan to ensure that they will, individually and collectively, implement the objectives and policies, as retained or amended by the Rangitāne submission.



Discussion	Relief sought
should be made to the rules in order for the objectives and policies of the Plan to be achieved.	

### Submission points on specific provisions

Provision	Support/Opposition	Discussion	Relief sought
Rule R42 Minor discharges - permitted activity	Support with amendment	<p>The rule provides for a level of discharge of contaminants into water or onto land where a set of conditions are met.</p> <p>(b) provides for discharge to enter a surface water body where TSS does not exceed for 50g/m<sup>3</sup> in the following water bodies:</p> <ul style="list-style-type: none"> <li>• Schedule A - outstanding water bodies</li> <li>• Schedule F1 - rivers &amp; lakes with significant indigenous ecosystems</li> <li>• Schedule F3 - identified significant natural wetlands</li> <li>• Schedule F4 - Sites with significant indigenous biodiversity values in the coastal marine area</li> </ul> <p>What this rule fails to recognise is the full extent of sites with significance to Rangitāne. S.6(e) of the RMA requires that the relationship of Māori and their culture and traditions with their ancestral</p>	<p>The rule R42(b)(i) needs to be amended to also include reference to the following additional sites of significance:</p> <ul style="list-style-type: none"> <li>• Schedule B Nga Taonga Nui a Kiwa, in particular, Rangitāne o Wairarapa</li> <li>• Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> <li>• Schedule F1b - known rivers and parts of the coastal marine area with inanga spawning habitat</li> <li>• Schedule F1c - Lakes with significant aquatic plant communities</li> <li>• Schedule F2a - habitats for</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>lands, water, sites waahi tapu, and other taonga need to be recognised and provided for.</p> <p>In addition, s.5 of the RMA requires that in achieving the sustainable management of natural and physical resources, the life-supporting capacity of air, water, soil and ecosystems is safeguarded.</p> <p>By not adequately recognising these statutory requirements, the Plan does not meet its statutory obligations under the Act.</p> <p>R42(b)(i) needs to be amended to also include reference to:</p> <ul style="list-style-type: none"> <li>• Schedule B Nga Taonga Nui a Kiwa, in particular, Rangitāne o Wairarapa</li> <li>• Schedule C – sites with significant mana whenua values, in particular, schedule C5</li> <li>• Schedule F1b – known rivers and parts of the coastal marine area with inanga spawning habitat</li> <li>• Schedule F1c – Lakes with significant aquatic plant communities</li> <li>• Schedule F2a – habitats for indigenous birds in rivers</li> <li>• Schedule F2b: Habitats for indigenous birds in lakes</li> <li>• Schedule F2c – Habitats for indigenous birds</li> </ul>	<ul style="list-style-type: none"> <li>• indigenous birds in rivers</li> <li>• Schedule F2b: Habitats for indigenous birds in lakes</li> <li>• Schedule F2c – Habitats for indigenous birds in the coastal marine area</li> <li>• Schedule F5 – habitats with significant indigenous biodiversity values in the coastal marine area</li> <li>• Schedule H – contact recreation and Māori customary use</li> </ul> <p>The application and definition of the concept of the zone of reasonable mixing must be amended throughout the plan to ensure that the zone does not extend into sites of significance as identified in Schedules C and H.</p> <p>The permitted activity standard for total suspended solids should be reduced to no greater than 20g/m<sup>3</sup>.</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>in the coastal marine area</p> <ul style="list-style-type: none"> <li>• Schedule F5 – habitats with significant indigenous biodiversity values in the coastal marine area</li> <li>• Schedule H – contact recreation and Māori customary use</li> </ul> <p>In addition, Rangitāne consider that any zone of reasonable mixing should not extend into any areas of significance to tangata whenua including sites/water bodies identified in Schedule H – water bodies of significance for contact recreation and Māori customary use and Schedule C sites with significant mana whenua values.</p> <p>These sites are of significant spiritual and cultural value to Rangitāne and their kaitiaki role for these water bodies.</p> <p>The permitted activity standard for discharges of 50g/m<sup>3</sup> of total suspended solids is at a level that is likely to cause adverse effects on the characteristics and qualities of the significant sites and areas listed. The standard should be reduced to no greater than 20g/m<sup>3</sup></p>	
Rule R43 Water to water - permitted activity	Support	<p>The rule is supported to the extent that it seeks to ensure that any water to water discharge will</p> <ul style="list-style-type: none"> <li>• Be to the same water body or area it was taken from</li> </ul>	The rule is supported provided the zone of reasonable mixing is amended to exclude any sites of significance to Rangitāne.

Provision	Support/Opposition	Discussion	Relief sought
Rule R44 Pool and spa pool water - permitted activity	Support with amendments	<ul style="list-style-type: none"> <li>The quality of the water discharged in the same or better than where it was taken from</li> <li>The discharge will not result in a temperature increase after the zone of reasonable mixing</li> <li>The discharge will not cause erosion</li> </ul> <p>As outlined previously, Rangitāne require that the zone of reasonable mixing be excluded from extending into any sites of significance.</p> <p>The rule needs to be amended to ensure protection of all sites and habitats of significance in the Region. This will ensure that the plan meets its statutory requirements to safeguard the life-supporting capacity of air, water, soil and ecosystems and recognise and provide for the preservation and protection of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāahi tapu and other taonga as outlined in sections 5 and 6 of the RMA.</p>	<p>Rule R44(a) be amended to include reference to:</p> <ul style="list-style-type: none"> <li>Schedule B Nga Taonga Nui a Kiwa, in particular, Rangitāne o Wairarapa</li> <li>Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> <li>Schedule F1b - known rivers and parts of the coastal marine area with inanga spawning habitat</li> <li>Schedule F1c - Lakes with significant aquatic plant communities</li> <li>Schedule F2a - habitats for indigenous birds in rivers</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Rule R46 - Dye or salt tracer - permitted activity	Support with amendments	<p>The rule does not give adequate recognition or provision for the consideration of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.</p> <p>The rule needs to be amended to ensure that the use of any dye or salt tracing does not adversely effect the role of Rangitāne as kaitiaki or the life-supporting capacity of air, water, soil and ecosystems, or mahinga kai.</p>	<ul style="list-style-type: none"> <li>Schedule F2b: Habitats for indigenous birds in lakes</li> <li>Schedule F2c - Habitats for indigenous birds in the coastal marine area</li> <li>Schedule F5 - habitats with significant indigenous biodiversity values in the coastal marine area</li> <li>Schedule H - contact recreation and Māori customary use</li> </ul>
Rule R47 - Other dye or salt tracer	Support with amendments	As discussed for rule R46 above, the rule needs to be amended to ensure that the use of any dye or salt tracing does not adversely affect sites listed in Schedules A to F and H.	Amend the rule to include as a matter of control, effects on sites listed in Schedules A to F and H.
Rule R48 - Stormwater from an individual	Support with amendments	As discussed above in relation to rules R42 and R44, discharge into sites of significance to	Rule (e)(i) needs to be expanded to incorporate adequate protection of

Provision	Support/Opposition	Discussion	Relief sought
property - permitted activity.		<p>Rangitāne needs to be more thoroughly considered.</p> <p>Rule (e)(i) needs to be expanded to incorporate adequate protection of all sites of significance including:</p> <ul style="list-style-type: none"> <li>• Schedule B Nga Taonga Nui a Kiwa, in particular, Rangitāne o Wairarapa</li> <li>• Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> <li>• Schedule F</li> <li>• Schedule H - contact recreation and Māori customary use</li> </ul>	<p>all sites of significance including:</p> <ul style="list-style-type: none"> <li>• Schedule A</li> <li>• Schedule B Nga Taonga Nui a Kiwa</li> <li>• Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> <li>• Schedule F</li> <li>• Schedule H</li> </ul>
Rule R50 Stormwater from a local authority network at plan notification - controlled activity	Oppose	<p>The rule provides for a local authority stormwater network as a controlled activity, provided a resource consent application is received within 2 years of the notification of this Plan.</p> <p>The rule does not function effectively because it deems an activity to be a controlled activity without an application having been submitted. Until such time as a resource consent is granted, existing unconsented discharges of stormwater would be unauthorised because there is no rule permitting those discharges in the Proposed Plan.</p>	Delete the rule and instead apply the restricted discretionary activity rule R51 to municipal stormwater discharges immediately.
Rule R51 Stormwater from a local authority network two years after	Support with amendments	The rule needs to be clarified. As currently drafted the rule would apply to an application received exactly 2 years following the notification of the	<p>Amend the rule to:</p> <ul style="list-style-type: none"> <li>• Apply from the date the Plan was notified.</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
public notification - restricted discretionary activity		<p>Natural Resources Plan. It is understood that the intention of this rule is that it apply to consent applications received two years or more after the notification of this Plan. Notwithstanding the above comment, the recommended deletion of Rule R50 will require this rule to have immediate effect.</p> <p>The relationship of Māori and the culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga extend beyond the consideration of mahinga kai and Māori customary use and the rule needs to be amended to reflect this.</p>	
Rule R52 Stormwater from large sites - restricted discretionary activity	Support		Retain as notified
Rule R58 Water Races - Discretionary activity	Support		Retain as notified
Rule R59 Existing pumped drainage schemes - permitted activity	Support with amendments	<p>The rule nor the definition of 'pumped drainage scheme' prescribe the quality of water or its source. The rule requires conditions that ensure that the quality of water being discharged does not result in adverse effects on significant sites and water bodies, that it contributes to freshwater objectives and limits being met, and that it is not associated with draining water from natural</p>	<p>Amend the rule by addition of conditions that requires that:</p> <ul style="list-style-type: none"> <li>• the water does not drain water from or cause the water level in a natural wetland to be lowered,</li> <li>• that the concentration of nutrients (P and N) within</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		wetlands.	the discharge are no greater than the applicable concentration limits for the water body into which the discharge occurs.
Rule R60 All other pumped drainage schemes - discretionary activity	Support		Retain as notified.
Rule R61 Existing wastewater - discretionary activity	Oppose	The discharge of wastewater to water should be phased out in order to address adverse effects, including adverse effects on Maori cultural and spiritual values. To promote the phasing out of existing discharges to freshwater, this rule should be time bound, with the activity status changing to non-complying at a date no later than 2030.	Amend the rule to apply to existing discharges up until an appropriate date not later than 2030.  Insert a new non-complying activity rule for existing discharges to freshwater after the date specified above.
Rule R62 New wastewater to fresh water - non complying activity	Oppose	The mauri of fresh water bodies is significantly diminished as a result of the discharge of human effluent to water.  Therefore, the activity is not suitable for to be considered through a resource consent process as a non-complying activity.	That the rule regarding the new discharge of wastewater to fresh water be amended to state that this is a prohibited activity.
Rule R67 - Discharges inside sites of significance - non-complying activity	Support with amendments	The rule is supported to the extent that it restricts discharges within sites of significance as a non-complying activity.  The rule needs to be amended to ensure that all	Rule 67(a) needs to be amended to ensure that the discharge of contaminants in sites of significance are also restricted in the following additional areas:



Provision	Support/Opposition	Discussion	Relief sought
New rule All other discharges - discretionary		<p>water bodies of significance to Rangitāne are included in this rule. Sites have significance to tangata whenua include sites that have significant mana whenua, ecological and biodiversity values.</p>	<ul style="list-style-type: none"> <li>Schedule B Nga Taonga Nui a Kiwa, in particular, Rangitāne o Wairarapa</li> <li>Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> </ul>
Rules in Section 5.3	Support	<p>There does not appear to be a 'catch all' rule to address discharges to water that are not captured by other rules in the Plan.</p> <p>This rule should also apply to any discharges in to sites listed in schedules A to F and H that are not otherwise managed through a controlled, restricted discretionary, discretionary, non-complying or prohibited activity rule.</p> <p>Notwithstanding the specific submission points below, and changes necessary to give effect to the changes sought to the objectives and policies of this Plan, the rules of Section 5.3 are generally supported</p>	<p>Insert a new discretionary activity rule that applies to discharges to water that do not meet the conditions of other rules and/or are not provided for in other rules in section 5.2.</p>
Rules R79 and R80 Discharges of treated wastewater to land	Support with amendments	<p>Both rules should include as matters of control and discretion:</p> <ul style="list-style-type: none"> <li>the effects of the discharge, including cumulative effects, on meeting the freshwater objectives and limits in the Plan.</li> <li>The effects of the discharge of sites listed in Schedules A to F and H.</li> <li>The effects on the cultural and spiritual</li> </ul>	<p>Both rules should include as matters of control and discretion:</p> <ul style="list-style-type: none"> <li>the effects of the discharge, including cumulative effects, on meeting the freshwater objectives and limits in the Plan.</li> <li>The effects of the discharge</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>values of mana whenua.</p> <p>Discharges under both rules could have adverse effects on Rangitāne values and their ability to fulfil their obligations as kaitiaki. As such, the clauses precluding should be clarified to be clear that mana whenua will be considered as potentially affected parties.</p>	<p>of sites listed in Schedules A to F and H.</p> <ul style="list-style-type: none"> <li>The effects on the cultural and spiritual values of mana whenua.</li> </ul> <p>The clauses precluding should be clarified to be clear that mana whenua will be considered as potentially affected parties.</p>
<p>Rule R97 Access to beds of surface water bodies by livestock - permitted activity</p>	<p>Oppose</p>	<p>The adverse effects of stock, particularly cattle, having access to the banks and beds of surface water bodies are significant. The rule should therefore be amended to exclude stock from water bodies, except in circumstances where those adverse effects will be avoided.</p> <p>Stock should, as a minimum, be excluded from the beds of rivers and lakes, and from natural wetlands in the areas identified in Schedules A to F and H to avoid adverse effects on the values of those sites.</p>	<p>Amend the rules controlling stock access to water bodies so that stock are excluded as the primary outcome.</p> <p>Require the exclusion of classes of stock that are likely to cause adverse effects on the values from water bodies and sites identified in Schedules A to F and H within 3 years.</p>
<p>5.5.2 Wetlands - general conditions for activities in natural wetlands, significant natural wetlands and outstanding natural wetlands.</p>	<p>Support with amendments</p>	<p>A definition of natural wetland is included in the Plan. A definition of significant natural wetland refers back to the definition of natural wetland, and in addition, it is considered significant if the wetland meets one or more criteria contained in the RPS 2013.</p>	<p>Amend the provisions of 5.5.2 as follows:</p> <ul style="list-style-type: none"> <li>Amend the Plan to provide clarity that the provisions (a) - (g) are intended to apply to natural, significant natural and outstanding natural</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
		<p>Outstanding natural wetlands are simply referred to as being those listed on Schedule A3 (it is noted that the title of this Schedule is "Wetlands with outstanding indigenous biodiversity values".</p> <p>While the heading statement intends the conditions to apply to the three types of wetlands recognised in the plan, given the way the terms are defined, the conditions in effect only apply to natural and significant natural wetlands. The provisions (a) - (g) refer to natural wetland and therefore would appear to not apply to those outstanding natural wetlands contained in Schedule A3.</p> <p>Clarification is required to ensure that these general rules apply to outstanding natural wetlands as intended.</p> <p>In addition to the general conditions (a)-(g) it is important to Rangitāne that livestock be prevented from entering all wetlands. Stock access to wetlands as they result in damage to soil, disturb vegetation and animal life, introduce effluent to the wetland and increase the flow of sediment.</p>	<p>wetlands.</p> <ul style="list-style-type: none"> <li>• Include an additional condition (h) which requires that livestock be prevented from entering any natural, significant natural or outstanding natural wetland.</li> </ul>
Rule R104 - Structures in natural wetlands and significant natural wetlands - permitted activity	Support with amendments	The rule is supported to the extent that it provides for the removal of existing structures and the repair, maintenance, alteration and replacement of an existing structure.	Amend the rule to include an exclusion for additions and new structures in sites of significance to tangata whenua and to provide a new rule for these activities to

Provision	Support/Opposition	Discussion	Relief sought
		<p>Any addition to existing structures which results in their size increasing and new structures in sites of significance to tangata whenua should require resource consent to be obtained to ensure that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is recognised and provided for.</p>	<p>ensure that a resource consent application is required.</p>
<p>Rule R105 Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands - permitted activity</p>	<p>Support</p>	<p>The permitted activity rule is supported to the extent that it ensures that the only indigenous wetland species are deliberately introduced or planted and that pest plant species are the only species deliberately removed.</p>	<p>Retain the rule as notified.</p>
<p>Rule R106 Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity</p>	<p>Support</p>	<p>The controlled activity rule is supported to the extent that it seeks to manage the restoration of wetlands, not provided for as a permitted activity, through an approved restoration plan.</p>	<p>Retain the rule as notified.</p>
<p>Rule R107 Activities in natural wetlands and significant wetlands – discretionary activity</p>	<p>Support</p>	<p>The discretionary activity rule is supported to the extent that it controls those activities in natural wetlands and significant wetlands not previously provided through the plan as a discretionary activity.</p>	<p>Retain the rule as notified.</p>

Provision	Support/Opposition	Discussion	Relief sought
		This activities status will enable the Council to give full consideration to the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga as required by s.6(e).	
Rule R108 Activities in natural wetlands and significant natural wetlands - non-complying activity	Support		Retain as notified
Rule R109 Activities in outstanding natural wetlands - discretionary	Support		Retain as notified
Rule R110 Activities in outstanding natural wetlands - non-complying	Support	The non-complying activity rule for the discharge of water or contaminants, take, use, damming or diverting of water, new structures greater than 10m <sup>2</sup> or greater, land disturbance, vegetation clearance excluding pest plant removal, other activities not provided for is generally supported.	Retain the rule as notified.
Rule R111 Reclamation of outstanding natural wetlands - prohibited activity	Support	The prohibited activity rule for reclamation in outstanding natural wetlands is supported	Retain the rule as notified.
5.5.4 Activities in beds of lakes and rivers general conditions	Support	The general conditions relating to activities in the beds of rivers and lakes are supported.	Retain the conditions as notified.
Rule R112 - Maintenance, repair,	Support	The permitted activity is supported to the extent that it enables existing structures to be maintained	Retain the rule as notified.

Provision	Support/Opposition	Discussion	Relief sought
replacement, upgrade or use of existing structures (excluding the Barrage Gates) - permitted activity		and repaired and the general conditions apply to wetlands must be complied with.	
Rule R113 Diversion of flood water by existing structures - permitted		The diversion of water by existing structures is supported.	
Rule R114 River crossing structures - permitted activity	Support	The rules is supported to the extent that it excludes river crossing structures in sites identified as sites with significant mana whenua values contained in Schedule C of this Plan.	Retain the exclusion of sites with significant mana whenua values contained in Schedule C as stated in (h).
Rule R115 Culverts - permitted activities	Support with amendments	The rule is supported to the extent that it excludes the placement or use of culverts in sites identified in Schedule C - sites with significant mana whenua values.  In order to protect areas of significant habitats of indigenous fauna as required by s.6(c), in particular the fauna habitat in lakes and rivers, the rivers and lakes with significant indigenous ecosystems as identified in Schedule F1, habitats for indigenous birds in rivers and lakes as identified in Schedules F2a and F2b need to be excluded from this permitted activity.	Retain the exclusion of sites with significant mana whenua values contained in Schedule C as stated in (f).  Amend the rule to exclude the permitted activity for culverts from applying in Rivers and lakes with: <ul style="list-style-type: none"> <li>significant indigenous ecosystems as outlined in Schedule F1.</li> <li>habitats for indigenous birds in rivers and lakes as identified in Schedules F2a and F2b</li> </ul>
Rule R116 Establishing a small dam and	Support with amendments	The exclusion from the permitted activity of damming from sites identified in Schedule C as	Retain the exclusion of: <ul style="list-style-type: none"> <li>sites with significant mana</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
existing dams - permitted activity		<p>sites with significant mana whenua values and in outstanding water bodies identified in Schedule A is supported.</p> <p>The damming of rivers should be excluded as a permitted activity, from occurring in rivers and lakes with significant indigenous ecosystems as identified in Schedule F1.</p>	<p>whenua values contained in Schedule C as stated in (i)</p> <ul style="list-style-type: none"> <li>• significant natural wetlands in Schedule F3 as stated in (j)</li> <li>• outstanding natural water bodies identified in Schedule A as stated in (j).</li> </ul> <p>Exclusions to the permitted activity should be extended to apply also in the following areas:</p> <ul style="list-style-type: none"> <li>• Rivers and lakes with significant indigenous ecosystems as identified in Schedule F1.</li> </ul>
Rule R117 New structures - permitted activity	Support with amendments	<p>The exclusion from the permitted activity of new structures from sites identified in Schedule C as sites with significant mana whenua values and sites identified in Schedule F1b as being known habitat for inanga spawning is supported.</p> <p>In addition to these exclusions, it is considered appropriate to also exclude from the permitted activity, those sites that have been identified as containing outstanding and significant indigenous ecosystem values to ensure that the plan give effect to section 6(c) of the Act.</p>	<p>Retain the exclusion of:</p> <ul style="list-style-type: none"> <li>• sites with significant mana whenua values contained in Schedule C as stated in (f)</li> <li>• habitats for indigenous birds as contained in schedules F2a and F2b as identified in (g)</li> </ul> <p>Exclusions to the permitted activity should be extended to apply also in the following areas:</p> <ul style="list-style-type: none"> <li>• Schedules A1, A2 and A3 which includes rivers, lakes</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
Rule R118 Removing or demolishing structures - permitted activity	Support with amendments	Section 6(f) requires the protection of historic heritage from inappropriate subdivision, use and development. To ensure this matter of national importance can be achieved, this rule must be amended to exclude the removal of any sites with significant historic heritage value as identified in Schedule E should be excluded from the permitted activity.	and wetlands with outstanding indigenous ecosystem values <ul style="list-style-type: none"> <li>Rivers and lakes with significant indigenous ecosystems as identified in Schedule F1.</li> </ul>
Rule R119 Clearing flood debris and beach recontouring - permitted activity	Support with amendments	Rangitāne acknowledge the Regional Council's requirement to undertake maintenance and management of river beds in certain areas, however the adverse effects of beach contouring on sites of significance to Maori, and other areas of significant ecological or historical value can be significant and should be managed through a resource consent process.	Exclude all sites identified in Schedule E from the permitted activity for the removal of structures.
			Amend the rule by adding an additional conditions that the bed recontouring will not take place within sites listed in: <ul style="list-style-type: none"> <li>Schedule A</li> <li>Schedule B Nga Taonga Nui a Kiwa</li> <li>Schedule C - sites with significant mana whenua values, in particular, schedule C5</li> <li>Schedule E</li> <li>Schedule F</li> </ul>



Provision	Support/Opposition	Discussion	Relief sought
Rule R120 Minor sand and gravel extraction - permitted activity	Support with amendments	<p>The permitted activity for minor sand and gravel extraction needs to be amended to ensure that those sites of significant mana whenua are excluded.</p> <p>This will ensure that the relationship of Māori and their culture and traditions with their ancestral water, sites, waahi tapu and other taonga is recognised and provided for as required by s.6(e) of the RMA.</p> <p>It is also considered that all sand and gravel extraction should be excluded from those site that the plans identifies as having ecosystems and habitats with significant indigenous biodiversity values to ensure that the requirements under s.6(c) are achieved.</p>	<p>Bed recontouring within those sites should be managed through as a minimum, a restricted discretionary resource consent process with matters of discretion providing for the management of adverse effects on the characteristics and values associated with the sites listed in the schedules.</p>
Rule R121 Maintenance	Support	<p>The permitted activity is supported to the extent</p>	<p>Amend the permitted activity rule to exclude minor sand mining and gravel extraction in the following areas:</p> <ul style="list-style-type: none"> <li>• Sites with significant mana whenua values identified in Schedule C</li> <li>• Ecosystems and habitats with significant indigenous biodiversity values as identified in Schedule F</li> </ul>

Provision	Support/Opposition	Discussion	Relief sought
of drains - permitted activity		that the maintenance of drains is required in (h) to return any fish and koura species be returned to the drain and in (g) that any mechanical clearance must be undertaken through the use of a weed bucket to permit the drainage of water and fish back into the drain.	
Rule R122 Removing vegetation - permitted activity	Support with amendments	This and other rules in the Plan controlling the removal of vegetation should be amended to permit the taking and removal of vegetation from the beds and banks of water bodies for cultural and traditional uses, and as mahinga kai.	Amend this rule and other rules controlling the removal of vegetation from the banks and beds of water bodies to permit the taking and removal of vegetation from the beds and banks of water bodies for cultural and traditional uses, and as mahinga kai.
Rule R125 Structures within a site identified in Schedule C (mana whenua) - restricted discretionary activity	Support	The restricted discretionary activity applying to any river crossing structure, culvert, new small dam or other small structure is supported to the extent that the effects of the activity are required to comply with the standards outlined for the relevant permitted activity, but that the Council retains its discretion to consider the effects on sites with significant mana whenua values in considering whether or not to approve a consent application and what conditions to impose on the activity.	Retain the restricted discretionary activity as notified.
Rule R126	Support	This will enable the Council to meet its requirements under s.6(e) of the Act.	
Rule R127 Reclamation	Oppose	It is not clear from the s.32 report why a	Retain as notified Amend Rule R127 to remove (b) and

Provision	Support/Opposition	Discussion	Relief sought
of the beds of rivers and lakes – non-complying activity		<p>differentiation has been made for reclamation in rivers and lakes with outstanding indigenous ecosystem values. Reclamation in lakes identified in Schedule A2 is a prohibited activity in Rule R128, whereas reclamation in rivers identified in Schedule A1 is a non-complying activity.</p> <p>This has the effect of prioritising the protection of the values of the Region's lakes identified ahead of the Region's rivers.</p> <p>In addition, reclamation on sites with significant mana whenua values is provided for as a non-complying activity. In order to appropriately recognise and provide for the relationship of Māori and their culture and traditions with their ancestral water, sites, waahi tapu and other taonga reclamation in these sites is not considered appropriate and should be stated in this Plan as a prohibited activity.</p>	(c) and include these in Rule R128 as prohibited activities.
Rule R128 Reclamation of the bed of an outstanding lake and associated diversion – prohibited activity	Support	<p>The prohibition of reclamation in lakes identified in Schedule A2 as being of outstanding indigenous ecosystem values is supported.</p>	<p>Retain the prohibition of reclamation in lakes of outstanding indigenous ecosystem value as notified, but amend the Rule to include as prohibited activities the reclamation in rivers with outstanding indigenous ecosystem values and site with significant mana whenua values as identified in</p>

Provision	Support/Opposition	Discussion	Relief sought
Rule R131 Damming or diverting water within or from rivers - discretionary activity	Support with amendments	<p>The exception to this rule for those rivers considered to have outstanding indigenous ecosystem value as identified in Schedule A1 is supported.</p> <p>Those rivers with significant mana whenua value to Rangitāne, included in Schedule C5 should be afforded the same protection, defaulting to a non-complying activity under R132.</p> <p>The rule is supported to the extent that it signals that the damming or diversion of water in rivers with outstanding indigenous ecological values is a non-complying activity</p>	<p>Schedules A1 and C respectively as (discussed for Rule R127 above).</p> <p>Amend the rule to ensure that rivers identified in Schedule C are afforded protection from damming and the diversion of water as a non-complying activity by including a condition in Rule R131 stating the that damming and diversion is not within a river or site identified in Schedule B or C.</p> <p>Retain the Rule R132 as notified.</p>
Rule R132 Damming or diverting water within or from rivers - non-complying activity	Support	<p>The damming or diversion of Wairarapa Moana, Lake Pounui, Hapua Korari and the Hidden Lakes including Lake Wairarapa as a discretionary activity does not give recognition to the significant value of Wairarapa Moana to Rangitāne.</p> <p>The fact that the other the other lakes identified in Schedule A2 as having outstanding indigenous ecosystem values trigger a non-complying activity status is inconsistent with the way Wairarapa Moana, Lake Pounui, Hapua Korari and the Hidden Lakes is proposed to be managed.</p>	<p>Amend the rule, and make associated consequential changes, so that damming or diverting of water from Wairarapa Moana, Lake Pounui, Hapua Korari and the Hidden Lakes, other than damming and diversion that is necessary for ecological or biodiversity enhancement purposes, is a non-complying activity</p>
Rule R133 Damming or diverting water within or from natural lakes - discretionary activity	Oppose	<p>It appears that the intent of this rule is to protect the outstanding indigenous ecosystem values of</p>	<p>Wairarapa Moana, Lake Pounui, Hapua Korari and the Hidden Lakes</p>
Rule R134 Damming or diverting water within	Support with amendment		

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
<p>or from natural lakes, Lake Kohangatera or Lake Kohangapiripiri - non-complying activity</p>		<p>both Lakes Kohangatera and Kohangapiripiri. This is supported.</p> <p>What is not clear from the s.32 report, is why the only other lake contained in the Schedule A2 as notified, Lake Wairarapa, has been excluded from being afforded the same protection and omitted from the rule.</p> <p>Rangitāne treasures Wairarapa Moana, of which Lake Wairarapa and Lake Onoke are an integral part. Rangitāne consider that Lake Pounui, Hapua Korari and the Hidden Lakes should also be defined as Outstanding Waterbodies as a result of their outstanding cultural and spiritual values. In order for Council to give appropriate recognition and provision for the relationships of Rangitāne and our culture and traditions with our ancestral water, sites, waahi tapu and other taonga, including Wairarapa Moana, Lake Pounui, Hapua Korari and the Hidden Lakes, it is necessary for those lakes to be suitably protected from the damming or diverting of waters.</p> <p>Therefore, the damming and diverting of water from Wairarapa Moana, Hapua Korari, Lake Pounui and the Hidden Lakes must be included in R134 as a non-complying activity.</p>	<p>must be included in R134 to state that the damming and diverting of water is a non-complying activity.</p>
<p>Rules in section 5.7</p>	<p>Support</p>	<p>The rules in this section that require discretionary</p>	<p>The rules in this section that require</p>

Provision	Support/Opposition	Discussion	Relief sought
coastal management		<p>or non-complying consent for activities within sites identified in Schedules A to F are supported. Where rules do not require discretionary or non-complying consent for activities within sites in those schedules, rules should be amended or added to do so.</p> <p>Rules should be amended and added to manage the actual and potential effects of oil and gas exploration and extraction, and mining of minerals and other materials from the coastal marine area, through resource consents of a status no lower than restricted discretionary activity status.</p>	<p>discretionary or non-complying consent for activities within sites identified in Schedules A to F are supported. Where rules do not require discretionary or non-complying consent for activities within sites in those schedules, rules should be amended or added to do so.</p> <p>Rules should be amended and added to manage the actual and potential effects of oil and gas exploration and extraction, and mining of minerals and other materials from the coastal marine area, through resource consents of a status no lower than restricted discretionary activity status.</p>

## Section 6 - Other Methods

Provision	Support/Opposition	Discussion	Relief sought
All methods		<p>The methods are generally supported, subject to relevant submission points made above.</p>	

## Section 7 - Ruamahanga Whaitua

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
<b>Policy RP2 - Core allocation</b>	Support with amendments	The approach of specifying the amount of water allocated by resource consents as the maximum amount of water able to be taken is not consistent with meeting freshwater limits that are described in Policy RP1. The policy should be amended to refer only to (b).	Amend the policy by deleting (a)
<b>Policy RP3 - Cumulative effects on river reaches of allocating water</b>	Support with amendments	The policy should be more directive that requiring regard to be given to adverse effects on ecosystems. The obligations of the Council in the RMA and the NPSM is to safeguard life supporting capacity, including of water and ecosystems, and to preserve natural character. These outcomes should be directed to be achieved by policies in this Plan. This policy should also achieve the objectives for mahinga kai.	Amend the policy to include specific direction around avoiding adverse effects on ecosystem health and mahinga kai as a result of water takes.
<b>Rule RR1 Take and use of water - restricted discretionary activity</b>	Oppose	While this rule is a restricted discretionary activity and therefore consent applications can be declined, the conditions of the rule imply that over-allocation will be enabled. The rule should be amended to ensure that it does not allow for over-allocation of fresh water.	The rule should be amended to ensure that it does not allow for over-allocation of fresh water. This should include amending the conditions to make it a requirement that consent cannot be sought in situations where freshwater limits will be exceeded.
<b>Rule RR3 - taking and use of water that exceeds limits -</b>	Support with amendments	This rule is supported as it avoids over allocation. The rule should be amended so that does not exclude takes and uses of water where the limits	The rule should be amended so that does not exclude takes and uses of water where the limits specified in

Provision	Support/Opposition	Discussion	Relief sought
prohibited activity		specified in the Plan are exceeded.	the Plan are exceeded.

### Section 11 - Wairarapa Coast Whaitua

Provision	Support/Opposition	Discussion	Relief sought
	Support		Retain as notified

### Section 12 - Schedules

Provision	Support/Opposition	Discussion	Relief sought
Schedule A: outstanding water bodies	Support with amendments	<p>The list of outstanding water bodies does not include water bodies with outstanding cultural and spiritual values to mana whenua.</p> <p>The values Rangitāne o Wairarapa and other iwi associate with these entities reflect a direct relationship between those iwi and the area. Those entities are part of the Rangitāne o Wairarapa whakapapa and, in many cases, are the embodiment of tupuna. For those reasons, the following water bodies in the Wairarapa area should be identified and managed as outstanding water bodies:</p>	<p>Amend Schedule A by inserting a new table that lists the following water bodies and their tributaries as water bodies with outstanding cultural and spiritual values for Maori.</p> <ul style="list-style-type: none"> <li>• Te Awa o Turanganui</li> <li>• Te Awa o Tauanui</li> <li>• Te Awa o Ruakokoputuna</li> <li>• Te Awa o Huangarua</li> <li>• Te Awa Tapu o Ruamahanga</li> <li>• Te Awa o Taueru</li> </ul>



Provision	Support/Opposition	Discussion	Relief sought
		<ul style="list-style-type: none"> <li>• Te Awa o Turanganui</li> <li>• Te Awa o Tauanui</li> <li>• Te Awa o Ruakokoputuna</li> <li>• Te Awa o Huangarua</li> <li>• Te Awa Tapu o Ruamahanga</li> <li>• Te Awa o Taueru</li> <li>• Te Awa o Whangaehu</li> <li>• Te Awa o Waingawa</li> <li>• Te Awa o Waipoua</li> <li>• Te Awa o Waiohine</li> <li>• Te Awa o Kopuaranga</li> <li>• Wairarapa Moana</li> <li>• Lake Pounui</li> <li>• Hapua Korari</li> <li>• the Hidden Lakes</li> </ul> <p>Rangitāne consider that the tributaries of the Ruamahanga River are not distinguishable from the river itself given that the water flows from the tributaries, through to the Ruamahanga River. As such all tributaries of the Ruamahanga River and the main tributaries above should be managed to protect the outstanding cultural and spiritual values.</p>	<ul style="list-style-type: none"> <li>• Te Awa o Whangaehu</li> <li>• Te Awa o Waingawa</li> <li>• Te Awa o Waipoua</li> <li>• Te Awa o Waiohine</li> <li>• Te Awa o Kopuaranga</li> <li>• Wairarapa Moana</li> <li>• Lake Pounui</li> <li>• Hapua Korari</li> <li>• the Hidden Lakes</li> </ul> <p>Make consequential changes to the Maps in the Plan to show the listed outstanding water bodies.</p>
<p><b>Schedule B: Nga Taonga Nui a Kiwa</b></p>	<p>Support with amendments</p>	<p>The identification and description of nga taonga nui a kiwa is generally supported however the following amendments are necessary to accurately capture the sites and areas.</p>	<p>Amend the schedule so that:</p> <p>Te Awa Tapu o Ruamahanga refers to both the main river and the</p>

Provision	Support/Opposition	Discussion	Relief sought
		<p>Te Awa Tapu o Ruamahanga should refer to the tributaries of the main river as well. Rangitāne consider that the tributaries of the Ruamahanga River are not distinguishable from the river itself given that the water flows from the tributaries, through to the Ruamahanga River. Making this amendment will make the schedule more consistent with Map 2 in Schedule B, which appears to show the Ruamahanga and tributaries.</p> <p>Wairarapa Moana encompasses both Lake Wairarapa and Lake Onoke. As such, the reference to only Lake Wairarapa in brackets is misleading.</p> <p>Wairarapa Moana, including both Lake Wairarapa and Lake Onoke, is a site of significant mana whenua value to Rangitāne.</p> <p>Schedule C5 needs to be included to appropriately reference Wairarapa Moana and its significant values for tangata whenua.</p> <p>Lake Onoke is recognised for the following values: wāhi tipuna, tauranga waka, wai ora, waitai, papa kāinga, puna raranga, puna rongoā, mahinga kai, mahinga tuna, ara waka, tohu ahurea, kai moana (are there any additional values needed to fully recognise the values of Wairarapa Moana)?</p>	<p>tributaries that flow into it.</p> <p>Wairarapa Moana refers to both Lake Wairarapa and Lake Onoke.</p>
<p><b>Schedule C (particularly C5) - sites of significant mana whenua values</b></p>	<p>Support with amendments</p>		<p>Amend Schedule C, and in particular C5, as follows:</p> <ul style="list-style-type: none"> <li>• Replace the reference to Lake Wairarapa with Wairarapa Moana.</li> <li>• Add the Ruamahanga River and its tributaries</li> </ul> <p>Include the Schedule of sites from Schedule B Nga Taonga Nui a Kiwa into Schedule C - sites with significant mana whenua values</p>

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
<p><b>Schedule E - significant historic heritage values</b></p>	<p>Support with amendments</p>	<p>The current schedule in the plan provides very few historic heritage sites associated with Maori history. While some archaeological sites are not able to be made public for cultural reasons, a large number of archaeological sites are public and should be included in the Plan to provide appropriate protection for them. As a minimum, the sites recorded in the New Zealand Archaeological Association database should be included in the Plan.</p>	<p>Add archaeological and historic heritage sites of significance to mana whenua. As a minimum, this should include the sites recorded in the New Zealand Archaeological Association database.</p>
<p><b>Schedule F - Ecosystems and habitats with significant indigenous biodiversity values</b></p>			
<p><b>New schedule - areas of high and outstanding natural character</b></p>		<p>There are currently no sites identified as areas of outstanding natural character or high natural character. The Council should undertake an assessment of the natural character and include areas of outstanding and high natural character within a schedule of the Plan.</p> <p>Wairarapa Moana should be identified as an area of outstanding natural character including due to the natural form and processes that occur within the moana and surrounding wetlands, the habitat the provide for indigenous species.</p>	<p>The Council should undertake an assessment of the natural character and include areas of outstanding and high natural character within a schedule of the Plan.</p> <p>Include objectives, policies, rules and other methods that ensure that the natural character of the areas within the schedule is preserved and protected from inappropriate use and development.</p>

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
New schedule - Outstanding Natural Landscapes and Outstanding Natural Features		The Plan does not currently identify ONL and ONF. These should be identified and included in a new schedule, with a associated maps. As a minimum, Wairarapa Moana should be identified.	Wairarapa Moana should be identified as an area of outstanding natural character and included in the Schedule. Add a new schedule for Outstanding Natural Features and Outstanding Natural Landscapes. These should be identified and included in a new schedule, with a associated maps. As a minimum, Wairarapa Moana should be identified.

### Section 13 - Maps

<b>Provision</b>	<b>Support/Opposition</b>	<b>Discussion</b>	<b>Relief sought</b>
All maps		All relevant maps should be amended in line with relief sought in relation to changes and additions to schedules requested above.	All relevant maps should be amended in line with relief sought in relation to changes and additions to schedules requested above.



Proposed Natural Resources Plan:

Submitter:

**Jan and Jock Richmond**

Submitter Number:

**S280**



## 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

<b>Name</b>	Jock and Jan Richmond
<b>Farm Name</b>	t/a Ngakaroro Land Co Ltd
<b>Physical Address</b>	138 Hautere Cross Rd Te Horo
<b>Phone Number</b>	06 3643147
<b>Email Address</b>	jrichmond@xtra.co.nz

**Communication from GWRC:** I prefer hardmail

**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

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

### INTRODUCTION – Key Points about farm/business

<b>Farm Type</b>	Sheep, Beef , Arable, Deer, agricultural contracting
<b>Farm size (area)</b>	454 hectares, mainly hill country, about 80 ha workable
<b>Main Waterways</b>	Mangaone Stream
<b>GW Soil plan or Farm Plan</b>	No
<b>Environmental investments</b>	The whole enterprise. GWRC have been very helpful with possum control.
<b>QE2 or Retirement Blocks</b>	Probably more than 50 ha is regenerating forest. This block is sometimes grazed, but lightly, and pests are poisoned.
<b>General Comments</b>	We hope that the GWRC plan can be "harmonized" with the Kapiti Coast district plan. In working with KCDC on that proposed plan it has been helpful to meet with the people involved, and sometimes on our property so they can see what we are talking about.



## **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

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.

## **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



## **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

## **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**

. costs, practicalities, timing, lay of the land  
Put fence in most suitable situation for the conditions.

## 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**

Drains have a very practical purpose, they are not decorative. They are a major part of land care, and safety for humans and animals. Maintenance is vital to ensure they fulfil their purpose. Farmers know their land and the habits of water courses so can apply the common sense that is required. Clearing one side at a time is not only costly but inefficient for farmers and waterways and their inhabitants. If one side is cleared, the likelihood of the other side slumping into the creek is increased, to the detriment of both creek and land.

## **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**

Does rule R99 apply to the total land holding in one name? Or does it apply only to the particular title in question?

Farmers need the ability to make decisions appropriate to the conditions, e.g. clearing a way thru for emergency vehicles.

## **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



## **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

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

## **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**

These are an existing activity on farms and do not cause adverse effects so do not need multiple conditions.

Farmers apply common sense in this matter too.

## 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**

As spraying is weather dependent it is impractical to notify neighbours 24 hours in advance, especially when neighbours are absentee owners..

## 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**

We might ask the pilot to avoid water and other properties, (we do not want to waste fertilizer), but safety is the priority. Most pilots are very skillful but even they are not in control of the wind.

## **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
- 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**

Such precise measurement is impractical on grounds of availability of test facilities, associated costs of time and money.

Proposed Natural Resources Plan:

Submitter:

**Jim, Pascoe and Henry Reynolds**

Submitter Number:

**S281**



**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

<b>Name</b>	<i>Jim, Pascoe and Henry Reynolds</i>
<b>Farm Name</b>	<i>Mayfield Kingsdon Partnership</i>
<b>Physical Address</b>	<i>600 Carters Line RD 7 Masterton</i>
<b>Phone Number</b>	<i>Pascoe – 021 228 7871, Henry-027 783 6166, Jim027 453 6002</i>
<b>Email Address</b>	<i><a href="mailto:Pascoerey@gmail.com">Pascoerey@gmail.com</a>, <a href="mailto:Henryreynolds@gmail.com">Henryreynolds@gmail.com</a>, <a href="mailto:Jimrey@xtra.co.nz">Jimrey@xtra.co.nz</a>.</i>

**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

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

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

<b>Farm Type</b>	<i>e.g. Sheep, Beef , Arable, Dairy, agricultural business</i>
<b>Farm size (area)</b>	<b>382</b> hectares
<b>Main Waterways</b>	<b>Taratahi water race system</b>
<b>GW Soil plan or Farm Plan</b>	Yes
<b>Environmental investments</b>	Cross Slot Direct Drill, Plantings, Soil protection, Starting to fence off waterways, Sub surface drainage to protect our waterways by filtration through the soil profile
<b>QE2 or Retirement Blocks</b>	<b>No</b>
<b>General Comments</b>	<i>e.g. if you like the partnership approach with council staff on the ground, say so</i>



## 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*

*Farm field tiles – Depth etc*

## **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.*

## **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**

Proposed Natural Resources Plan:

Submitter:

**Wellington International Airport  
Limited**

Submitter Number:

**S282**



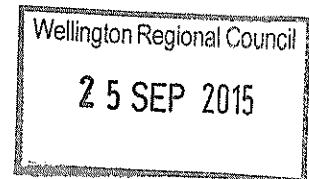
**Environmental Consultants**  
PO Box 489, Dunedin 9054  
New Zealand  
Tel: +64 3 477 7884  
Fax: +64 3 477 7691

**By Email**

25 September 2015

Our Ref: 6903

Greater Wellington Regional Council  
PO Box 11646  
**WELLINGTON 6142**



**Attention:** Planning Department  
regionalplan@gw.govt.nz

Dear Sir / Madam

**RE: PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

Please find enclosed submissions on the proposed Natural Resources Plan for the Wellington Region on behalf of Wellington International Airport Limited.

We look forward to being kept informed of the process in relation to the Proposed Plan.

Yours sincerely,  
**MITCHELL PARTNERSHIPS LIMITED**

A handwritten signature in black ink, appearing to read "Claire Hunter".

**CLAIRE HUNTER**

Email: [claire.hunter@mitchellpartnerships.co.nz](mailto:claire.hunter@mitchellpartnerships.co.nz)

cc: Mike Brown Wellington International Airport

Enc.

*Also in Auckland and Tauranga*  
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New Zealand  
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**FORM 5**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED NATURAL RESOURCES PLAN**  
**FOR THE WELLINGTON REGION**  
**(31 JULY 2015)**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Planning Department  
Wellington Regional Council  
PO Box 11646  
WELLINGTON 6142

**Submission on:** Proposed Natural Resources Plan for the Wellington Region

**Submitter name:** Wellington International Airport Limited (WIAL)

**Address:** Wellington International Airport Limited  
c/- Mitchell Partnerships Ltd  
PO Box 489  
Dunedin 9054

1. **This is a submission on the Proposed Natural Resources Plan for the Wellington Region (“Proposed Plan”).**
2. **WIAL could not gain an advantage in trade competition through this submission.**
3. **Background**

**Wellington Airport History**

In 1929 the Wellington Chamber of Commerce recognised the substantial advantage the region could gain from an airport close to the CBD when it began lobbying the government for an airport at the Rongotai location. The current location of the airport is an attribute envied by other cities, particularly as it enables organisations based in Wellington to host visitors from around the country without them spending a disproportionate amount of their day travelling between the airport and the CBD.

The airport's land infrastructure as it is currently configured was substantially formed in the period 1953-1959 and was a major engineering feat at that time. Prior to that time an airport had operated at Rongotai using an alignment running east to west.

To construct the new airport in 1929 150 houses were purchased, a major hill was removed and approximately 28 hectares of land was reclaimed mainly to the south but also the north to accommodate the runway.

A further reclamation to the south was undertaken in 1972 to accommodate DC8 aircraft.

Today the runway requires substantial seawall protection, predominantly from Cook Strait wave action.

The rapid growth in the travelling public's propensity for air travel has placed the facilities at Wellington Airport under constant pressure, and requires WIAL to provide fit-for-purpose facilities for the increasing numbers of travellers.

Accordingly, in 1999, WIAL's entire eastern side was redeveloped including the construction of the Main Terminal Building at a cost of about \$116m. The 40 year old "temporary" modified hangar used as a domestic terminal was demolished and a single new terminal, absorbing the then-Ansett NZ domestic and international terminal facilities, was completed. The roading network, vehicle parking and aircraft gates were totally redeveloped.

In August 2005 a major expansion and upgrade of the northern terminal (including aircraft gates, baggage and secondary processing facilities, international lounge and increased duty free facilities) was commenced. The upgrade of the international facilities involved an investment of about \$80m and was completed in 2010.

In 2007 WIAL completed a Runway End Safety Area (RESA) to the south, including the construction of a road tunnel. Construction of the north RESA was completed in 2008. These extensions ensured that WIAL preserved the existing operational functionality of its runway while complying with the increased Civil Aviation safety requirements for a minimum of 90 metre RESA's. The total cost for construction for the RESAs was \$33m.

In 2009, WIAL completed a full runway resurfacing, part of regular maintenance, at a cost of \$11m.

In 2011, WIAL completed both the development of a Code C sized corporate jet hangar and passenger processing facility at a cost of \$8m and an extension to the existing level 1 terminal car parking facility at a cost of \$6m.

In 2013 WIAL completed a redevelopment of the terminal car parking facilities to rationalise the available land, delivering an additional 300 spaces at a cost of \$6m.

WIAL has further plans to upgrade the airport facilities and increase its capacity. These plans include a \$55m expansion to the domestic terminal (presently under construction), a \$125m multi-level car parking facility and a \$40m integrated 4-star hotel.

Additionally, a proposal to extend the runway to an effective length of 2300 metres is currently in the early planning phase.

### **Wellington Visitor Growth**

Visitor numbers to Wellington are strong both in the domestic and international markets. Wellington City saw 1.4 million domestic commercial guest nights in 2014, and there were 184,352 international visitor arrivals to Wellington in 2014 (equating to a 23% increase since 2010). Over the last 12 months, passenger numbers at Wellington Airport have increased by over 6%, higher than any other major airport in New Zealand. Passenger numbers are expected to reach more than 5.7 million this year and to double to 10 million by 2030, making Wellington the second largest airport in New Zealand.

### **WIAL 2030 Master Plan**

Wellington International Airport plays a vital role in the Wellington region. It connects residents, visitors and businesses to all parts of New Zealand and to Australia, the Pacific and the rest of the world, and significantly contributes to the city and wider region's economy. Passenger numbers are booming and WIAL needs to plan for and accommodate this growth including investment in essential infrastructure.

Wellington Airport occupies a small (by national and international standards) site for its passenger numbers, so the efficient use of space is paramount in providing vehicle access and car parking for travellers and other users. The 2030 Master Plan anticipates the construction of a multi-level car parking facility, including a multi-modal transport interchange and associated facilities for all requisite ground transport modes, close to the terminal and in the general vicinity of the presently proposed car park to ensure passenger demand and expectations can continue to be met into the future.

### **Wellington Visitor Strategy**

Wellington is currently experiencing strong visitor growth, with the dynamic tourism industry currently contributing \$1.4 billion each year to the Wellington regional economy, with tourism and hospitality providing an estimated 16,000 full-time equivalent jobs to the region.

The Wellington Visitor Strategy 2015 outlines how further visitor growth to Wellington is to be fostered, and specifically includes:

- Clarifying the roles and responsibilities of the key stakeholders in Wellington's tourism sector and in the delivery of the visitor experience;
- Setting clear action points for planning, investment in, and development of Wellington's tourism product and infrastructure; and
- Providing a platform to drive even more effective and efficient outcomes from marketing activities.

WIAL is a key stakeholder in the Wellington regional tourism industry, and is classified as "regionally significant infrastructure" as defined in the Greater Wellington Regional Policy Statement. WIAL is also classified as a "lifeline utility" as defined in the Civil Defence Emergency Management Act 2002.

**4. Submissions on the Proposed Natural Resources Plan for the Wellington Region**

- The following discussion provides the reasons for WIAL's submission on the Proposed Plan.
- Please refer to the submission table attached at **Annexure A** for WIAL's detailed submission points on specific provisions of the Proposed Plan.

WIAL:

- a. Opposes, opposes in part, supports in part and supports the Proposed Plan and has set out the specific relief sought in the table at **Annexure A** (attached). The relief sought may vary where it addresses WIAL's submission points.
- b. Reasons for WIAL's opposition to the Proposed Plan as notified and in the absence of amendments in accordance with this submission (or similar), include the following:
  - i. As notified, the Proposed Plan will not promote the sustainable management of natural and physical resources, will not achieve the purpose of the Resource Management Act 1991 (RMA), and is otherwise contrary to Part 2 and other relevant provisions of the Act, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means.
  - ii. The Proposed Plan will not promote the efficient use and development of natural and physical resources.
  - iii. The Proposed Plan does not give effect to the New Zealand Coastal Policy Statement 2010.
  - iv. Aspects of the Proposed Plan are unsupported or unjustified in terms of section 32 of the RMA.
  - v. The Proposed Plan does not represent sound resource management practice particularly with respect to planning for the development and growth of infrastructure of regional and national importance.
  - vi. WIAL considers that the Proposed Plan could better support the development and growth of regionally significant infrastructure in the Wellington Region. A more enabling approach towards such development will correlate with objectives and policies within the Proposed Plan that purport to recognise the benefits of significant infrastructure. Therefore, among other submission points, WIAL seeks that a new Objective be inserted to recognise and provide for the growth and development of regionally significant infrastructure. The inclusion of a suitable new Objective will complement the existing Policies and Rules that provide for the development of infrastructure.

- vii. The Proposed Plan contains a conflict between (for example) Objective O13, Policies P12, P14, P137 and P145 seeking to recognise and provide for regionally significant infrastructure and rules relating to seawalls. The lack of provision for the maintenance and replacement of seawalls where needed to protect regionally significant infrastructure such as Wellington International Airport fails to recognise locational constraints that cannot be addressed by alternative hazard mitigation measures.
- viii. Section 5 (2) (c) of the RMA sets out a framework for the management of effects requiring the avoidance, remediation or mitigation of adverse effects. However Policy P4 of the Proposed Plan introduces the term "minimisation" and the term is repeatedly used in relation to the management of adverse environmental effects. WIAL considers that the use of a different term unnecessarily departs from the established RMA framework and will complicate resource consenting by introducing an additional layer of assessment.
- ix. A number of proposed rules relating to development, damage, disturbance and destruction in the coastal marine area appear to duplicate one another. Furthermore, all such rules appear to be overridden by the requirements of Rule R216 which applies a non-complying activity status to activities that are provided for as discretionary activities by other rules.
- x. The application of Schedule F2c and Map 18 to the coastal marine area bordering the southern end of the Airport is considered to be inappropriate given:
- The age of the data relied on in combination with the conclusions drawn within supporting documents about the need for frequent monitoring of scheduled sites as they are dynamic habitats.
  - The extensive modification of the natural landscape in this area and the activities associated with the day-to-day operation of the Airport, including bird control activities consistent with civil aviation requirements.
  - The fact that the site only satisfied one of three criteria for inclusion in the schedule (Diversity criteria were satisfied, whilst Ecological Context and Rarity criteria were not satisfied). Diversity criteria relate to the presence of threatened or at risk species resident at or regularly using the site. Background information identifies that "*Species were considered 'resident or regularly using' a site if they have been or are likely to be encountered during 50% or more of bird surveys carried out in the appropriate season*". It is considered that this formulation is very broad and it is uncertain that it can be reasonably applied to the Airport environs, given the other issues noted above.
- xi. Schedule K relating to surf breaks seeks to preserve the natural character of the coastal marine area by protecting (Objective O37, Policy P51) surf breaks. However the schedule includes surf breaks that have been significantly affected by the modification of the environment in Lyall Bay

and are therefore not representative of the natural character of the coastal marine area. WIAL also notes that the Proposed Plan provides little scope for the mitigation of effects on surf breaks. Furthermore, WIAL queries the reason for elevating surfing above other recreational values, when the NZCPS (Policy 6) seeks more broadly to maintain and enhance the public open space and recreation qualities and values of the coastal marine area. WIAL also notes that there is no higher level directive within the Wellington Regional Policy Statement to require the specific protection of surf breaks at a regional level, WIAL considers that the Proposed Plan inappropriately extends a level of protection to regionally significant surf breaks that would be more commensurate with the management of surf breaks of national significance, and is therefore contrary to, and does not give effect to, the NZCPS Policy 16.

- xii. WIAL also considers that the approach taken towards the drafting of schedules in the Proposed Plan requires review to ensure consistency. Where matters are identified by the Plan as requiring particular attention, WIAL considers that a schedule should be used to identify both the location of the matters in question, and should also identify the values that give rise to the need for particular consideration. This approach has not been consistently applied in the Proposed Plan (for example, Objective O31, Policies P24 and P48.)
- xiii. WIAL commends the Council on taking an integrated approach and the consolidation of land, water and coastal planning policy and rules into a single natural resources plan. Section 2.1.3 of the Proposed Plan states:

*"...the Plan has, where practicable, combined associated activities into one rule. The several permissions which may be required under...the RMA are included in one rule for which one application for resource consent can be made".*

WIAL considers that this will provide a more efficient administrative environment for the consideration and determination of development proposals. WIAL however notes that some refinement is necessary to ensure that the Plan is internally consistent. This includes ensuring that rules do not overlap or contradict one another (as discussed at (vii) above), and ensuring that the drafting enables Plan users to easily comprehend the integration between objectives, policies and rules.

- 5. **WIAL seeks the following decision from the Wellington Regional Council:**
  - a. That the amendments (or similar in order to address WIAL's submission points) outlined above and in **Annexure A** are accepted;
  - b. Such further, consequential or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission.
- 6. **WIAL wishes to be heard in support of these submissions.**

7. If others make a similar submission, WIAL would be prepared to consider presenting a joint case with them at any hearing.

Signed:



On behalf of Wellington International Airport Limited (by its duly authorised agent Claire Hunter).

*Dated at Dunedin this 25<sup>th</sup> day of September 2015*

**Address for Service:**

Wellington International Airport Limited  
c/- Mitchell Partnerships Limited  
PO Box 489  
**Dunedin 9054**

**Contact Details:**

Attention: Claire Hunter  
Telephone: 03 477 7884  
E-mail: [claire.hunter@mitchellpartnerships.co.nz](mailto:claire.hunter@mitchellpartnerships.co.nz)

# ANNEXURE A

## Submission Table

*Text highlighted with underlining (example) represents proposed insertions.*

*Text with strikethrough (~~example~~) represents proposed deletions.*



PROVISION	POSITION	REASONS	RELIEF SOUGHT (or other such similar outcome that has the same effect as the relief sought)
<b>DEFINITIONS</b>			
<p>Earthworks</p> <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) cultivation of the soil for the establishment of crops or pasture, and</li> <li>(b) the harvesting of crops, and</li> <li>(c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</li> <li>(d) the construction, repair or maintenance of: <ul style="list-style-type: none"> <li>(i) pipelines, and</li> <li>(ii) electricity lines, and</li> <li>(iii) telecommunication structures or lines, and</li> <li>(iv) radio communication structures, and</li> <li>(v) firebreaks or fence lines</li> </ul> </li> <li>(e) repair or maintenance of existing roads and tracks, and</li> </ul>	Support in part	<p>WIAL frequently undertakes maintenance works on sealed areas within the Airport (i.e. taxiway, runway) and seeks that such routine maintenance activity be exempted from consent requirements through a minor amendment to the definition of "earthworks".</p> <p>WIAL submits that this approach will be consistent with the exemptions provided in the "Earthworks" definition for other infrastructure-related works at sub-clauses (c) and (d).</p>	<p>Amend the definition at sub-clause (e) "Earthworks" as follows:</p> <p>(Note: entire definition not shown).</p> <p>(e) <i>repair or maintenance of existing <u>airfields</u>, roads and tracks, and</i></p>

<p>(f) maintenance of orchards and shelterbelts, and</p> <p>(g) domestic gardening, and</p> <p>(h) repair, sealing or resealing of a road, footpath or driveway.</p>			
<p><b>Operational requirement</b> When an activity needs to be carried out in a particular location or way in order to be able to function effectively and efficiently.</p>	Support	<p>WIAL supports the inclusion of a definition for operational requirements as it assists merits-based assessment by ensuring that the particular characteristics of activities are taken into account.</p>	Retain this definition.
<p><b>Regionally significant infrastructure</b> <i>(Note: entire definition not shown below)</i></p> <p>Regionally significant infrastructure includes:</p> <p>...</p> <p>Wellington International Airport</p> <p>...</p>	Support	<p>WIAL supports the inclusion of a definition of regionally significant infrastructure and considers it appropriate that the Wellington International Airport is included in the definition.</p>	Retain this definition.
<b>OBJECTIVES</b>			
<p><b>New Objective:</b> Development of regionally significant infrastructure</p>		<p>WIAL notes that whilst section 3.2 of the Proposed Plan is titled "Beneficial use and <b>development</b>", none of the draft objectives explicitly support the development and growth of regionally significant infrastructure, as distinguished from the operation and upgrade of existing infrastructure.</p> <p>The development and growth of regionally significant infrastructure assets is vital to the wellbeing and health and safety of current and future generations, particularly with respect to economic prosperity. Therefore, WIAL</p>	<p>WIAL seeks that the following Objective be inserted into the Proposed Plan:</p> <p><i>Objective O# (amend numbering as necessary) - Development of regionally significant infrastructure</i></p> <p><i>Provide for and enable the development and growth of regionally significant infrastructure.</i></p>

<p>Objective O9 The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.</p>	<p>Support in part.</p>	<p>considers that the Objectives of the Proposed Plan should explicitly enable such activities, particularly in light of Policies and Rules (e.g. P12, P139, P145, and R214) that recognise and provide for such development.</p> <p>WIAL also notes whilst that the Proposed Plan provides for activities in the coastal marine area associated with the development of regionally significant infrastructure, it is also appropriate to recognise such development through the inclusion of a specific Objective in the Proposed Plan. In doing so, the Proposed Plan will better align with and give effect to Policy P12 of the Proposed Plan and Policies 6 (1) (b) and 6 (2) (a) of the NZCPS.</p>	<p>Amend Objective O9 as follows: <i>The recreational values <u>opportunities</u> of the coastal marine area, rivers and lakes and their margin and, natural wetlands are maintained and <u>where appropriate</u> enhanced.</i></p>
<p>Objective O9 The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.</p>	<p>Support in part.</p>	<p>WIAL considers that this objective should be aligned with Objective 4 of the NZCPS which seeks that public open space qualities and recreational <u>opportunities</u> are maintained and enhanced. WIAL considers this to be appropriate in that it may enable adverse effects on recreational activities to be mitigated through the development of alternative opportunities.</p> <p>The inclusion of the term "where appropriate" recognises that in some cases a proposal will not be able to enhance all existing recreational opportunities. Although maintenance and enhancement may be the ultimate aim, this should not be a mandatory requirement as it is necessary to balance the policy context in light of the overall mix of costs and benefits</p>	<p>Amend Objective O9 as follows: <i>The recreational values <u>opportunities</u> of the coastal marine area, rivers and lakes and their margin and, natural wetlands are maintained and <u>where appropriate</u> enhanced.</i></p>

Objective O10 Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.	Support in part	associated with a proposal as well as methods of remediation and mitigation.  The inclusion of WIAL's recommended drafting recognises that not all proposals will maintain and enhance all existing public access points. Although maintenance and enhancement may be the ultimate aim, this should not be a mandatory requirement. Public health and safety considerations may be of relevance in some cases and may necessitate the imposition of a restriction in accordance with NZCPS Policy 19 (3) (e). It is further considered that the recommended amendment to O10 provides a foundation for the public access restrictions nominated in Policy P9. The amendment therefore improves the structural coherence of the Proposed Plan and is consistent with Objective 4 of the NZCPS, which recognises that there may be reasons which mean it is not practicable to maintain and enhance public access.	Amend Objective O10 as follows: <i>Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced, except where it is <u>appropriate and necessary to impose a restriction</u></i>
Objective O12 The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	Support in part	WIAL considers that Objective O12 should be amended to provide for regionally significant infrastructure and renewable energy generation activities as well as to recognise their benefits. This will ensure that the Proposed Plan appropriately links the "recognition" of the benefits provided by infrastructure, and the realisation of such benefits through development activity.	Amend Objective O12 as follows: <i>The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised and provided for.</i>

<p>Objective O13</p> <p>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.</p>	<p>Support in part</p>	<p>Amend Objective O13 as follows:</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 in close proximity to the infrastructure or activity.</i></p>
<p>Objective O17</p> <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>	<p>Oppose</p>	<p>WIAL opposes this objective as it ascribes a level of protection to natural character that is more appropriate to areas of outstanding natural character. As reflected by Objective O53 and other provisions of the Proposed Plan, historic circumstances, locational constraints, operational requirements and functional needs may have produced, or may necessitate, development in the coastal marine area. WIAL opposes an all-inclusive requirement for preservation and protection as this may not be possible or appropriate in all circumstances. It imposes a higher level of protection than Policy 13 (1) (b) of the NZCPS. It therefore fails to give effect to the NZCPS which is contrary to s. 67 (3) of the RMA.</p>
<p>Objective O19</p> <p>The interference from use and development on natural processes is minimised.</p>	<p>Oppose in part</p>	<p>Delete Objective O19 entirely or amend as follows:</p>

		<p>imposes a different requirement to the RMA S. 5 avoid-remedy-mitigate requirements.</p> <p>Paragraph 5.1.1 of Council's "Section 32 report: Activities in the coastal marine area" discusses the need to manage "impacts" on natural processes, however does not discuss or identify what activities would constitute "interference". Similarly Policy P26 of the Proposed Plan refers to "effects" rather than "interference".</p> <p>Furthermore, the coastal environs of metropolitan Wellington are highly modified. Given this, natural processes have also been modified, or have been highly influenced by the presence of such development. Apparent natural processes may therefore have been significantly altered, and/or have adapted to the presence of this existing development. It is therefore difficult to determine the baseline upon which "natural processes" will be identified and assessed.</p> <p>WIAL therefore seeks that Objective O19 either be deleted entirely or be amended to a more specific form of drafting commensurate with the RMA.</p>	<p>The interference from <u>Any adverse effects of use and development on natural processes</u> is avoided, remedied or <u>mitigated</u> minimised.</p>
<p>Objective O20 The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable.</p>	<p>Support</p>	<p>WIAL supports this objective as it recognises that a degree of risk tolerance is necessary to enable the operation, maintenance and upgrade of infrastructure, particularly where existing infrastructure is exposed to risk.</p>	<p>Retain Objective O20.</p>

<p>Objective O21 Inappropriate use and development in high hazard areas is avoided</p>	<p>Support in part</p>	<p>WIAL supports the inclusion of the term "inappropriate" as this provides recognition that, in certain circumstances, use and development may not be able to avoid high hazard areas (particularly as the definition of "high hazard areas" includes all of the coastal marine area), and, having regard to the functional needs or operational requirements of the use, and the remediation and mitigation options available, such use and development may be appropriate.</p>	<p>Amend Objective O21 as follows: <u>Inappropriate use and development in high hazard areas is avoided, and where avoidance is impracticable or for reasons of functional need or operational requirements, the effects of use and development in high hazard areas should be remedied or mitigated.</u></p>
<p>Objective O22 Hard engineering mitigation and protection methods are only used as a last practicable option.</p>	<p>Support in part</p>	<p>WIAL supports the retention of hard engineering methods as an option where other mitigation and protection methods are not suitable, however considers that the Objective should be framed more specifically to ensure that (a) the objective applies to natural hazard mitigation and protection and (b) hard engineering methods are not excluded where they are suitable.</p>	<p>Amend Objective O22 as follows: <u>Hard engineering mitigation and protection methods are only used as a last practicable option to protect against natural hazards.</u></p>
<p>Objective O31 Outstanding water bodies and their significant values are protected.</p>	<p>Support in part</p>	<p>WIAL considers that outstanding water bodies should be protected from <u>inappropriate</u> use and development.  WIAL considers that this approach enables effects-based assessment and is compatible with Section 6(b) of the RMA and therefore recommends the inclusion of suitable wording.  WIAL also seeks that where the Proposed Plan specifies values or areas, these are clearly identified by reference to methods such as maps and schedules. This will avoid uncertainty</p>	<p>Amend Objective O31 as follows: <u>Outstanding water bodies and their significant values identified in Schedule A to this Plan are protected from inappropriate use and development.</u></p>

Objective O35 Ecosystems and habitats with significant indigenous biodiversity values are protected and restored	Support in part	as to the location of the water body and its specified values or areas. WIAL considers that the Objective should be framed to include reference to a method of identifying the location and nature of significant values of relevance. Furthermore, the all-inclusive wording of the objective does not incorporate discretion to consider circumstances in which protection or restoration may not be the preferable outcome. It is considered that the inclusion of a reference to the avoidance, remediation or mitigation of adverse effects more appropriately reflects the purpose of the RMA.	Amend Objective O35 as follows:  <u>Adverse effects on <del>E</del> ecosystems and habitats with significant indigenous biodiversity values identified in a method to this Plan are protected and restored avoided, remedied or mitigated.</u>
Objective O36 Significant geological features in the coastal marine area are protected.	Support in part	WIAL recommends the Objective be amended to enable an effects-based assessment of development proposals, a holistic consideration of the degree and nature of protection and restoration methods/requirements, and clarification of the location and extent of relevant features.	Amend Objective O36 as follows:  <u>Significant geological features in the coastal marine area identified in Schedule J to this plan are protected from inappropriate use and development.</u>
Objective O37 Significant surf breaks are protected from inappropriate use and development.	Oppose	WIAL does not consider this objective to be appropriate. The RMA and the NZCPS do not require regional surf breaks to be protected from inappropriate use and development.  The NZCPS includes Policy 16 which seeks to protect surf breaks of national significance, and Schedule 1 which identifies such surf breaks. WIAL notes that there are no surf breaks of national significance listed for the Wellington region and particularly in Lyall Bay. Therefore, WIAL does not consider it appropriate to extend	Delete Objective O37.



the NZCPS level of protection for nationally significant surf breaks onto those significant at a regional level only. It is also questioned why the protected status has been applied to all of the surf breaks identified in the Wellington region, given the varying consistency, accessibility, and degree of difficulty of the breaks (described in the associated "eCoast Marine Consulting and Research" technical report.

It is presumed that the key reason as to why the surf breaks that have been identified as significant in the Plan have attracted such a status is largely due to their recreational use and value (i.e. surfing). Given this, WIAL consider that the management of surf breaks and recreational opportunities at the regional level should be aligned with the RMA requirement to avoid, remedy or mitigate adverse effects and Objective 4 of the NZCPS. Objective 4 of the NZCPS seeks that public open space *qualities* and recreational *opportunities* are maintained and enhanced. This would also ensure that other recreational pursuits (i.e. fishing, diving) are also recognised and appropriately provided for.

It is noted that the *Regional Policy Statement for the Wellington Region* (RPS) does not require the protection of regional surf breaks. Rather, the RPS (Policy 35) refers more broadly to "opportunities for recreation and the enjoyment of the coast". WIAL questions the

		<p>appropriateness of Objective O37 in light of the fact that the RPS does not specifically require that regional surf breaks be accorded a level of protection greater than that provided for other opportunities for recreation.</p> <p>It is noted that the Plan documentation sets out that surf breaks also contribute to the natural character of the coastal marine area and that this is another reason as to why they have been identified as being of significance. WIAL acknowledges that this is true for those that are occurring as a result of natural coastal processes, however with respect to the surfing amenity within Lyall Bay this has been significantly influenced by the reclamation and modifications to the existing airport area. Without the runway break wall for example, The Corner surf break would not exist in its current form (i.e. wave breaking would be more similar to the rest of the bay). WIAL consider that this should have been taken into account when developing the schedule of significant surf breaks. It is not clear from the Plan documentation that this has been considered.</p>	
<p>Objective O44 The adverse effects on soil and water from land use activities are minimised.</p>	<p>Oppose in part</p>	<p>WIAL considers that to avoid uncertainty and improve efficiency, the term "minimise" should be replaced with the phrase "avoid, remedy or mitigate" (adjusted as appropriate) throughout the Proposed Plan.</p>	<p>Amend Objective O44 as follows:  <i>The adverse effects on soil and water from land use activities are <u>minimised avoided, remedied or mitigated.</u></i></p>
<p>Objective O47 The amount of sediment-laden runoff entering water is reduced.</p>	<p>Oppose</p>	<p>WIAL considers that the drafting of the Objective is ambiguous and does not provide</p>	<p>Delete Objective O47</p>

Objective O49 Discharges of wastewater to land are promoted over discharges to fresh water and coastal water.	Support in part	sufficient clarity as to the extent to which reductions may be required.	WIAL submits that a minor amendment to the Objective will enable discretion to be exercised in instances where discharges of wastewater to land is not appropriate or practicable.	Amend Objective O49 as follows:  <i>Discharges of wastewater to land are promoted over discharges to fresh water and coastal water where <u>practicable</u>.</i>
Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.	Support	WIAL supports this objective. The objective confirms that functional need or operational requirement may be valid reasons for development to be located in the coastal marine area.	WIAL supports this objective. The objective confirms that functional need or operational requirement may be valid reasons for development to be located in the coastal marine area.	Retain Objective O53.
Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area.	Support	WIAL supports recognition that the occupation of the coastal marine area in an efficient manner can in some circumstances be a valid development outcome.	WIAL supports recognition that the occupation of the coastal marine area in an efficient manner can in some circumstances be a valid development outcome.	Retain Objective O54.
Objective O55 The need for public open space in the coastal marine area is recognised.	Support	WIAL supports the recognition of the need for public open space in the coastal marine area, noting that such need will be balanced against constraints such as public health and safety considerations.	WIAL supports the recognition of the need for public open space in the coastal marine area, noting that such need will be balanced against constraints such as public health and safety considerations.	Retain Objective O55.
Objective O56 New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment.	Support in part	WIAL considers that the objective should be amended to better integrate recognition of any functional need or operational requirement that gives rise to the scale, density and design of development in the coastal marine area.  In this way Objective O56 will be better aligned with Objective O53 and will better reflect NZCPS Objective 6, Dot Point 1 " ...does not preclude use and development in <u>appropriate</u> places and forms..." (emphasis added).	WIAL considers that the objective should be amended to better integrate recognition of any functional need or operational requirement that gives rise to the scale, density and design of development in the coastal marine area.  In this way Objective O56 will be better aligned with Objective O53 and will better reflect NZCPS Objective 6, Dot Point 1 " ...does not preclude use and development in <u>appropriate</u> places and forms..." (emphasis added).	Amend Objective O56 as follows:  <i>New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment <u>whilst recognising functional needs or operational requirements of such development</u>.</i>

<p>Objective O58 Noise, including underwater noise, from activities in the coastal marine area is managed to maintain the health and well-being of marine fauna, and the health and amenity value of users of the coastal marine area.</p>	<p>Support.</p>	<p>WIAL supports a management approach towards noise in the coastal marine area as it is unlikely that noise can be avoided given the variety and extent of activities within the coastal marine area.</p>	<p>Retain this objective.</p>
<p>Objective O59 The efficient and safe passage of vessels and aircraft that support the movement of people, goods and services is provided for in the coastal marine area.</p>	<p>Support</p>	<p>WIAL supports Objective O59 because it provides for public health and safety and recognises the economic and social benefits associated with the efficient functioning of transportation infrastructure.</p>	<p>Retain Objective O59.</p>

<b>POLICIES</b>			
<p>Policy P4: Minimising adverse effects</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: (Note: remainder of Policy P4 not shown below)</p>	<p>Oppose</p>	<p>WIAL considers that the inclusion of the term "minimise" as a performance method in the Proposed Plan is generally inappropriate and seeks that references to "minimise" throughout the entirety of the Proposed Plan are deleted and replaced with the term "avoid, remedy or mitigate" as appropriate.</p> <p>The term "minimise" conflicts with the avoid-remedy-mitigate requirements specified as the proper manner by which to manage effects by Section 5 of the RMA. It is noted that the term "minimise" is not used consistently, as the terms "avoid", "remedy" and "mitigate" are also utilised within the Proposed Plan.</p>	<p>Delete Policy P4. WIAL notes that as a consequential amendment references to "minimise" throughout the Proposed Plan will need to be re-considered and amended as required.</p>
<p>Policy 9: Public access to and along the coastal marine area and the beds of lakes and rivers</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>Support</p>	<p>WIAL supports Policy P9 as it is aligned with Policy 19 (3) of the NZCPS and reflects the necessity of restricting public access for health and safety purposes.</p>	<p>Retain Policy P9.</p>

<p>(b) protect public health and safety, 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, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location.</p>			
<p>Policy P-12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p> <p>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised by having regard to:</p> <ol style="list-style-type: none"> <li>the strategic integration of infrastructure and land use, and</li> <li>the location of existing infrastructure and structures, and</li> <li>the need for renewable energy generation activities to locate where the renewable energy resources exist, and</li> <li>the functional need for port activities to be located within the coastal marine area, and</li> <li>operational requirements associated with developing, operating, maintaining and</li> </ol>	<p>Support in part</p>	<p>WIAL generally supports Policy P12 as it enables recognition of historic circumstances affecting the location of infrastructure at (b) and acknowledges the needs of future generations by providing for the development and upgrade of regionally significant infrastructure at (e). It is therefore consistent with NZCPS Objective 6.</p> <p>However WIAL seeks that the policy be slightly amended in order to better correlate the recognition of benefits to the benefits themselves by also "providing for" regionally significant infrastructure and renewable energy generation activities. In giving effect to the realisation of the benefits this will also correspond to Objectives O12 and O13 as well as the new Objective relating to the development of regionally significant infrastructure proposed by WIAL.</p>	<p>Amend Policy P12 as follows:</p> <p><i>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised and <u>provided for</u> by having regard to:</i></p> <p>(Note: remainder of policy not shown below)</p>

<p>upgrading regionally significant infrastructure and renewable energy generation activities.</p>	<p>Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities</p> <p>The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</p>	<p>Support in part</p>	<p>WIAL considers that in light of its proposed new Objective relating to the development of regionally significant infrastructure, and the presence of Policy P12 and P145 which recognise and provide for such development, Policy P13 should be amended to ensure consistent approach towards the development of regionally significant infrastructure.</p>	<p>Amend Policy P13 as follows:</p> <p><i>The use, <u>development</u>, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</i></p>
<p>Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</p> <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.</p>	<p>Support in part</p>	<p>WIAL supports the prevention of reverse sensitivity effects on regionally significant infrastructure. There are significant implications of such effects for the wellbeing of the community. The proposed amendment of the policy to include "in close proximity" improves the relevance of the policy as reverse sensitivity effects relating to regionally significant infrastructure are not driven by boundaries and often extend beyond the boundaries of adjacent properties.</p>	<p>Amend Policy P14 as follows:</p> <p><i>Policy P14: <u>Incompatible activities adjacent in close proximity to regionally significant infrastructure and renewable electricity generation activities</u></i></p> <p><i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent in close proximity to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects.</i></p>	
<p>Policy P24: Outstanding natural character</p> <p>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</p>	<p>Oppose in part</p>	<p>There are no maps or schedules included in the Proposed Plan that identify the areas of outstanding natural character referred to by Policy P24. The policy itself does not identify the location of such areas. This results in uncertainty about the spatial extent/application of policy P24.</p>	<p>Amend Policy P24 as follows:</p> <p><i>Areas of outstanding natural character in the coastal marine area <u>identified in a schedule to this Plan</u> will be preserved by:</i></p> <p>a) <i>avoiding adverse effects of activities on natural character in areas of the</i></p>	

<p>marine area with outstanding natural character, 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) 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.</p>		<p>The requirement of NZCPS Policy 13(1) (c) - to undertake the identification and mapping of coastal areas with natural character values - is acknowledged at clause 4.1.2(a) of Council's S. 32 Natural Heritage report.</p> <p>WIAL submits that policy P24 be amended to refer to a schedule that identifies areas of outstanding natural character as well as the significant values that contribute to the classification of the site as outstanding in order to properly give effect to NZCPS Policy 13 and to avoid uncertainty about the application of Policy P24.</p> <p>Furthermore, sub-clause (e) of P24 extends the policy's scope to land that is not sited within an area of outstanding natural character. The effects of activities on areas of natural character (but not outstanding natural character) is a matter addressed by Policy P25. Therefore WIAL recommends sub-clause (e) be deleted to avoid duplication.</p>	<p>coastal marine area with outstanding natural character, 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>
<p>Policy P25: Natural character</p> <p>Use and development shall avoid 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:</p>	<p>Oppose.</p>	<p>WIAL is concerned that sub-clause (d) (ii) does not clearly recognise operational requirements associated with the growth of regionally significant infrastructure that may result in the expansion of an existing use.</p> <p>WIAL notes that NZCPS Policy 6 requires considerations about the need for use and development to meet the needs of people and</p>	<p>Amend Policy P25 as follows:</p> <p><u>Use and development shall avoid significant adverse effects on outstanding natural character in the coastal marine area (including high-natural-character-in-the-coastal-marine-area) and in the beds of lakes and rivers identified in a method to this Plan, and avoid, remedy or mitigate</u></p>



<p>a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</p> <p>b) the presence or absence of structures and buildings, and</p> <p>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</p> <p>d) whether it is practicable to protect natural character from inappropriate use and development through:</p> <p>i) using an alternative location, or form of development that would be more appropriate to that location, and</p> <p>ii) considering the extent to which functional need or existing use limits location and development options.</p>	<p>communities, and the preservation of the natural environments of the coastal marine area, to be undertaken in an integrated manner.</p> <p>WIAL considers that Policy P25 should be amended to better align with NZCPS Policy 6 by more clearly providing for the growth of existing regionally significant infrastructure.</p> <p>WIAL furthermore considers that the reference to "high natural character" should be deleted as the term is not defined and no methods identify such areas. The scope and operability of this aspect of the policy is therefore unclear. Instead the policy should refer to areas of outstanding natural character which is consistent with Policy 13 of the NZCPS.</p>	<p>other adverse effects of activities, taking into account:</p> <p>a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</p> <p>b) the presence or absence of structures and buildings, and</p> <p>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</p> <p>d) whether it is practicable to protect natural character from inappropriate use and development through:</p> <p>i) using an alternative location, or form of development that would be more appropriate to that location, and</p> <p>ii) considering the extent to which functional needs, operational requirements or existing use limits location and development options, and</p> <p>iii) considering the benefits associated with the use, operation, maintenance, upgrade and growth of existing regionally significant</p>
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<p>Policy P26: Natural processes</p> <p>Use and development will be managed to minimise effects on the integrity and functioning of natural processes.</p>	<p>Oppose in part</p>	<p>WIAL notes that the term "minimise" should be replaced with the phrase "avoid, remedy or mitigate" to ensure consistency with the RMA.</p>	<p><u>infrastructure and renewable energy generation activities.</u></p> <p>Amend Policy P26 as follows:</p> <p>Use and development will be managed to <u>minimise avoid, remedy or mitigate adverse effects on the integrity and functioning of natural processes.</u></p>
<p>Policy P27: High hazard areas</p> <p>Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where:</p> <ol style="list-style-type: none"> <li>they have a functional need or operational requirement or there is no practicable alternative to be so located, and</li> <li>the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and</li> <li>the development does not cause or exacerbate natural hazards in other areas, and</li> <li>interference with natural processes (coastal, fluvial and lacustrine processes) is minimised, and</li> <li>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</li> </ol>	<p>Support in part</p> <p>However WIAL notes the imprecise terminology in P27 (d) and recommends this be amended to better align with the RMA.</p>	<p>WIAL supports the recognition in P27 (a) of locational constraints that often result in regionally significant infrastructure locating in hazard area and considers that with appropriate mitigation it is acceptable for such development to be located in these areas. Therefore a strict policy of avoiding development in high hazard areas is not appropriate and discretion should be available for the consideration of remediation and mitigation methods.</p> <ol style="list-style-type: none"> <li><u>they have a functional need or operational requirement or there is no practicable alternative to be so located, and</u></li> <li><u>mitigation or remediation measures can appropriately manage the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and</u></li> <li><u>the development does not cause or exacerbate natural hazards in other areas, and</u></li> <li><u>interference with adverse effects on natural processes (coastal, fluvial and lacustrine processes) is minimised are avoided, remedied or mitigated, and</u></li> </ol>	<p>Amend Policy P27 as follows:</p> <p><u>Inappropriate use and development, including hazard mitigation methods, in high hazard areas shall be avoided, remedied or mitigated except where:</u></p> <ol style="list-style-type: none"> <li><u>they have a functional need or operational requirement or there is no practicable alternative to be so located, and</u></li> <li><u>mitigation or remediation measures can appropriately manage the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is low, and</u></li> <li><u>the development does not cause or exacerbate natural hazards in other areas, and</u></li> <li><u>interference with adverse effects on natural processes (coastal, fluvial and lacustrine processes) is minimised are avoided, remedied or mitigated, and</u></li> </ol>

<p>Policy P28: Hazard mitigation measures</p> <p>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>Support in part</p>	<p>WIAL is concerned that Policy P28 only recognises the use of hard engineering mitigation and protection measures where associated with existing development and the works either form part of a hazard management strategy or have no more than minor effects.</p> <p>Policy 27 of the NZCPS recognises that in certain circumstances the use of hard engineering techniques may be unavoidable (i.e. to protect infrastructure that is of national or regional importance). The end result of Policy P28 would prevent consideration of such situations, contrary to Policy 27(c) of the NZCPS.</p> <p>WIAL also submits that this policy should clarify that it is intended to apply to hard hazard mitigation measures, and does not inadvertently capture any hard engineering structure.</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>Amend Policy P28 as follows:</p> <p>Hard <u>hazard</u> engineering mitigation and protection methods shall be avoided except:</p> <ol style="list-style-type: none"> <li>a. where <del>it is</del> necessary to protect <del>existing</del> development from unacceptable risk, assessed using the risk-based approach; and,</li> <li>b. <u>the development demonstrates a functional need or operational requirement to locate in a particular location; and,</u></li> </ol> <ol style="list-style-type: none"> <li>i. <del>the works either form part of a hazard management strategy;</del></li> <li>or,</li> <li>ii. <del>the any environmental effects that are considered to be no more than minor are remedied or mitigated.</del></li> </ol>	<p>Support in part</p>	<p>Amend Policy P31 as follows:</p> <p>Aquatic ecosystem health and mahinga kai shall be maintained and, where <u>appropriate</u>, or restored by managing the effects of use and development on</p>	<p>Amend Policy P28 as follows:</p> <p>Hard <u>hazard</u> engineering mitigation and protection methods shall be avoided except:</p> <ol style="list-style-type: none"> <li>a. where <del>it is</del> necessary to protect <del>existing</del> development from unacceptable risk, assessed using the risk-based approach; and,</li> <li>b. <u>the development demonstrates a functional need or operational requirement to locate in a particular location; and,</u></li> </ol> <ol style="list-style-type: none"> <li>i. <del>the works either form part of a hazard management strategy;</del></li> <li>or,</li> <li>ii. <del>the any environmental effects that are considered to be no more than minor are remedied or mitigated.</del></li> </ol>
<p>Policy P31: Aquatic ecosystem health and mahinga kai</p> <p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of</p>	<p>Support in part</p>	<p>The inclusion of the term "where appropriate" recognises that in some cases a proposal will not be able to maintain and restore the health of all aquatic ecosystems and mahinga kai. Although maintenance and restoration may be the ultimate aim, this should not be a mandatory requirement particularly in circumstances where</p>	<p>Amend Policy P31 as follows:</p> <p>Aquatic ecosystem health and mahinga kai shall be maintained and, where <u>appropriate</u>, or restored by managing the effects of use and development on</p>

<p>use and development on physical, chemical and biological processes to:</p> <ul style="list-style-type: none"> <li>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</li> <li>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 and coastal habitats, and</li> <li>c) minimise adverse effects on habitats that are important to the life cycle and survival of aquatic species, and</li> <li>d) minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</li> <li>e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</li> <li>f) minimise adverse effects on riparian habitats and restore them where practicable, and</li> <li>g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.</li> </ul>		<p>the public benefits derived from a project outweigh residual adverse effects.</p> <p>WIAL also questions how the requirement for restoration of ecosystems and mahinga kai would be applied in areas that have been subject to long-term, significant environmental modification. As noted in comments relating to Objective O19 above, determination of the degree to which restoration is required may constrain the practical implementation of this policy.</p>	<p>physical, chemical and biological processes to:</p> <ul style="list-style-type: none"> <li>a) <u>minimise avoid, remedy or mitigate</u> 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</li> <li>b) <u>minimise avoid, remedy or mitigate</u> 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</li> <li>c) <u>minimise avoid, remedy or mitigate</u> adverse effects on habitats that are important to the life cycle and survival of aquatic species, and</li> <li>d) <u>minimise avoid, remedy or mitigate</u> adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</li> <li>e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</li> <li>f) <u>minimise avoid, remedy or mitigate</u> adverse effects on riparian habitats</li> </ul>
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<p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai</p> <p>Significant adverse effects on aquatic ecosystem health and mahinga kai shall be managed by:</p> <ul style="list-style-type: none"> <li>a) avoiding significant adverse effects, and</li> <li>b) where significant adverse effects cannot be avoided, remedying them and</li> <li>c) where significant adverse effects cannot be remedied, mitigating them, and</li> <li>d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.</li> </ul> <p>Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p>	<p>Support in part</p>	<p>WIAL notes that this policy includes reference to the management of "residual adverse effects".</p> <p>It is possible to envisage circumstances where all residual adverse effects (significant or minor) cannot be avoided, remedied or mitigated. Sub-clause (d) as currently drafted does not differentiate between significant residual effects and residual effects that are less than minor.</p> <p>The degree of significance of an adverse effect and the degree of any public benefits that will derive from the associated development should be integrated when considering whether offsetting is to be required. A requirement for the provision of an offset should be commensurate with the significance of the residual effect.</p>	<p>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 P36: Effects on indigenous bird habitat</p> <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</p>	<p>Support in part</p>	<p>WIAL supports the management of effects on indigenous bird habitats but notes that these habitats have been scheduled by Schedule F2 and therefore recommends that reference to the Schedule be included in the policy to ensure</p>	<p>Amend Policy P32 as follows:</p> <p>Significant adverse effects on aquatic ecosystem health and mahinga kai shall be managed by:</p> <ul style="list-style-type: none"> <li>a) Avoiding significant adverse effects, and</li> <li>b) Where significant adverse effects cannot be avoided, remedying them, and</li> <li>c) Where significant adverse effects cannot be remedied, mitigating them, and</li> <li>d) Where <u>significant</u> residual adverse effects remain, <u>considering</u> the use of biodiversity offsets.</li> </ul> <p>Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p>
<p>Policy P36: Effects on indigenous bird habitat</p> <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</p>	<p>Support in part</p>	<p>WIAL supports the management of effects on indigenous bird habitats but notes that these habitats have been scheduled by Schedule F2 and therefore recommends that reference to the Schedule be included in the policy to ensure</p>	<p>Amend Policy P36 as follows:</p> <p>The adverse effects of use and development on the habitats of indigenous birds <u>identified in Schedule F2 in the coastal marine area, wetlands and beds of</u></p>

<p>their margins for breeding, roosting, feeding, and migration shall be minimised.</p>		<p>clarity as to the spatial extent of the areas concerned.</p> <p>WIAL also refers to its submission opposing the inclusion of the Wellington International Airport environs in Schedule F2c and Map 18 of the Proposed Plan, located further below in this table.</p>	<p><del>lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be minimised avoided, remedied or mitigated.</del></p>
<p>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</p> <ul style="list-style-type: none"> <li>a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</li> <li>b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</li> <li>c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and</li> <li>d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</li> </ul>	<p>Support in part</p>	<p>WIAL is concerned that in certain circumstances there are conflicting activities and values operating within the identified scheduled areas and it might not always be appropriate or necessary to protect and enhance biodiversity values. As acknowledged by other policies within the Proposed Plan, there are significant functional, operational and locational constraints associated with many of the Region's significant infrastructure assets. These constraints should be recognised within the drafting of this policy.</p> <p>WIAL notes that it is seeking the removal of the Airport environs from Schedule F2c. This is discussed below in submission points on the schedule.</p> <p>WIAL does however support the format adopted within Policy P40 whereby scheduled areas are specifically identified and the values giving rise to the inclusion of an item in a schedule are clearly nominated.</p>	<p>Refer to WIAL's submission point on Schedule F2C below and amend policy P40 as follows:</p> <p><u>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values except where protection or restoration would be inappropriate having regard to the functional needs, operational requirements and locational constraints of regionally significant infrastructure:</u></p> <ul style="list-style-type: none"> <li>a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</li> <li>b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</li> <li>c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and</li> <li>d) the ecosystems and habitat-types with significant indigenous</li> </ul>

<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 restoration management plan, 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> <ol style="list-style-type: none"> <li>avoiding more than minor adverse effects, and</li> <li>where more than minor adverse effects cannot be avoided, remedying them, and</li> <li>where more than minor adverse effects cannot be remedied, mitigating them, and</li> <li>where residual adverse effects remain it is appropriate to consider the use of biodiversity offsets.</li> </ol> <p>Proposals for mitigation and biodiversity offsets 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</p>	<p>Support in part</p>	<p>WIAL considers that requirements for the offsetting of effects should be commensurate with the significance of the effect in question.</p> <p>As Policy P41 is currently drafted, in circumstances where it is not possible to avoid, remedy or mitigate all effects, arguably any residual effects would have to be offset, even if the effect/s in question were less than minor.</p>	<p>biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</p>
		<p>Amend Policy P41 as follows:</p> <p><i>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 restoration management plan, shall, where practicable, avoid these ecosystems and habitats.</i></p> <p><i>If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:</i></p> <ol style="list-style-type: none"> <li><i>avoiding <del>more than</del> <u>minor significant</u> adverse effects, and</i></li> <li><i>where <del>more than</del> <u>minor significant</u> adverse effects cannot be avoided, remedying them, and</i></li> <li><i>where <del>more than</del> <u>minor significant</u> adverse effects cannot be remedied, mitigating them to the extent that is practicable, and</i></li> <li><i>where <u>significant</u> residual adverse effects remain it is <del>appropriate to</del> <u>consider</u> <del>the use of</del> <u>considering</u> biodiversity offsets.</i></li> </ol> <p><i>Proposals for mitigation and biodiversity offsetting s will be assessed against the</i></p>	

<p>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 biodiversity offsets, the activity is inappropriate.</p>			<p>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 adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the activity is inappropriate.</p>
<p>Policy P42: Protecting and restoring 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, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:</p> <ol style="list-style-type: none"> <li>maintain ecological connections within and between these habitats, or</li> <li>provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and</li> <li>provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and</li> </ol>	<p>Oppose in part</p>	<p>WIAL is concerned that the imprecision of the extent of the "surrounding areas" referred to in Policy P42 renders the policy ambiguous, ineffective and inoperable.</p> <p>The spatial application of Policy P42 should be defined by way of suitable mechanisms such as schedules/maps/overlays and the preferred outcomes encouraged through the inclusion of corresponding rules.</p>	<p>Delete Policy P42 or amend as follows:</p> <p><del>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:</del></p> <ol style="list-style-type: none"> <li>maintain ecological connections within and between these habitats, or</li> <li>provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and</li> <li>provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and</li> </ol>



<p>d) avoid cumulative adverse effects on, and the incremental loss of the values of these ecosystems and habitats.</p>	<p>Policy P48: Protection of outstanding natural features and landscapes</p> <p>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 activities on outstanding natural features and landscapes, and</p> <p>b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.</p>		<p>Oppose</p>		<p>WIAL is concerned about the ambiguity of Policy P48. Consistent with WIAL's comments about other proposed policies, WIAL considers that effects are best managed through the identification of natural features and landscapes (including outstanding natural features and landscapes) in schedules and corresponding references inserted into the Proposed Plan. This provides certainty about the spatial application of policy and is consistent with the approach recommended by Policy 15 (c) and (d) of the NZCPS.</p>	<p>d) avoid cumulative adverse effects on, and the incremental loss of, the values of these ecosystems and habitats.</p>
<p>Policy P51: Significant surf breaks</p> <p>Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by minimising the adverse effects on:</p> <p>a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and</p>			<p>Oppose</p>		<p>WIAL opposes the extension of a level of protection to regionally significant surf breaks that is more appropriately reserved for surf breaks of national significance.</p> <p>WIAL is concerned that Policy P51 does not contemplate circumstances where the adverse effects of use and development on surf breaks cannot be avoided however on a merits assessment may be acceptable having regard to methods of remediation or mitigation</p>	<p>Amend Policy P48 as follows:</p> <p><i>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:</i></p> <p><u>1) avoiding adverse effects of activities on outstanding natural features and landscapes identified in a schedule to this Plan, and</u></p> <p><u>2) avoiding significant adverse effects and avoiding, remedying or mitigating either the adverse effects of activities on natural features and landscapes.</u></p>
						<p>Delete Policy P51.</p>

<p>b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.</p>		<p>WIAL further notes that the scheduled surf breaks in Lyall Bay have been influenced by the historic construction of the airport. For example, without the runway break wall The Corner surf break would not exist in its current form and it is noted that further modification or removal of this wall could alter the current wave dynamics in this area.</p> <p>WIAL questions how Policy P51 would work in regard to these scheduled surf spots which have been enhanced by human-induced modification. If it is intended to only protect naturally occurring surf breaks, the schedule would have to be revised to reflect this.</p> <p>WIAL is also concerned that Schedule K in the Proposed Plan identifies all of the surf breaks within the Wellington Region as being significant. Given this broad application of significance, WIAL is concerned that there has been no robust analysis to support the inclusion of the surf breaks that are identified in Schedule K.</p> <p>In light of these issues, WIAL seeks the deletion of Policy P51.</p>	
<p>Policy P78: Managing stormwater from large sites</p>	<p>Support in part</p>	<p>WIAL is concerned that this policy appears to require continuous improvement to be adopted to stormwater management regardless of the quality of current processes.</p>	<p>Amend Policy P78 to account for the issues raised in the reasons opposite.</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 by:</p> <ol style="list-style-type: none"> <li>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>identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and</li> <li>progressively implementing methods identified in (b), and</li> <li>having particular regard to protecting sites with identified significant or outstanding values, and</li> <li>implementing good management practice, including in accordance with Policy P73, and progressive improvement of discharge quality over time.</li> </ol>		<p>WIAL considers that the policy should be amended to confirm that improvement is only necessary where there is wastewater discharge issue, rather than applying to high-performing and low-performing sites equally.</p>	
<p>Policy P132: Functional need and efficient use</p> <p>Use and development in the coastal marine area shall:</p> <ol style="list-style-type: none"> <li>have a functional need, or</li> <li>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> </ol>	<p>Support in part</p>	<p>WIAL generally supports this policy as it is appropriate to recognise that certain regionally significant infrastructure facilities such as the Airport already have a coastal location and should not be unduly constrained in their future growth because of historic circumstances.</p> <p>WIAL recommends amendments to sub-clause (d) to clarify the link between a coastal marine area location and the operational requirement or functional need that necessitates such a location.<sup>7</sup></p>	<p>Amend Policy P132 as follows:</p> <p>Note: entire Policy P32 not shown below)</p> <p>...</p> <p>and in respect of (a), (b) and (c):</p> <p>d) ensure that the <u>only extent of the use provides for the efficient operation of infrastructure the <del>minimum</del> area necessary, and</u></p>

<p>c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area.</p> <p>and in respect of (a), (b) and (c):</p> <p>d) only use the minimum area necessary, and</p> <p>e) be made available for public or multiple use where appropriate, and</p> <p>f) result in the removal of structures once redundant, and</p> <p>g) concentrate in locations where similar use and development already exists where practicable.</p>		<p>WIAL recommends amendments to sub-clause (e) to ensure that requirements for public access are compatible with Policy 19 of the NZCPS, which provides for restrictions on public access in particular circumstances.</p>	<p>e) <u>be made available for public or multiple use unless a restriction on public access</u></p> <p><u>is where appropriate, and</u></p> <p>...</p>
<p>Policy P133: Recreational values</p> <p>The adverse effects of use and development in the coastal marine area on recreational values shall be managed by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.</p>	<p>Oppose</p>	<p>It is unclear whether this policy intends for development proposals to offset adverse effects on recreational values by providing an alternative "diverse range of recreational opportunities" or whether Council intends to maintain a diverse range of recreational opportunities by "managing" the impacts of development on recreational values.</p> <p>WIAL considers that the ambiguity of the policy renders it inoperable and submits that it be deleted.</p>	<p>Delete Policy P133</p>
<p>Policy P134: Public open space values and visual amenity</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 minimised by:</p>	<p>Support in part</p>	<p>WIAL seeks the removal of the term "minimise" and replacement with "avoid, remedy or mitigate" (as appropriate) throughout the Proposed Plan.</p> <p>WIAL considers that greater clarity could be provided, and better coherence with objectives</p>	<p>Amend Policy P134 as follows:</p> <p><i>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 <del>minimised</del> avoided, remedied or mitigated by:</i></p>

<p>(a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and</p> <p>(b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment, and</p> <p>(c) taking account of the future need for public open space in the coastal marine area.</p>		<p>and policies relating to regionally significant infrastructure by the proposed amendments to sub-clause (b).</p>	<p>(a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and</p> <p>(b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment and the <u>functional needs, operational requirements and locational constraints of regionally significant infrastructure, and</u></p> <p>(c) taking account of the future need for public open space in the coastal marine area.</p>
<p>Policy P135: Safe passage</p> <p>The efficient and safe passage of vessels and aircraft in the coastal marine area shall be provided for by avoiding inappropriate use and development in navigation protection areas (shown on Map 49).</p>	<p>Support</p>	<p>WIAL supports the preservation of navigation protection areas.</p>	<p>Retain Policy P135</p>
<p>Policy P137: Airport height restriction areas</p> <p>Airport height restriction areas for Wellington International Airport (shown on Map 50) and Kapiti Coast Airport (shown on Map 51) in the coastal marine area shall be protected by avoiding structures that:</p>	<p>Support</p>	<p>WIAL supports the preservation of airport height restriction areas and the provision for new structures to be built where required for airport purposes.</p> <p>It is appropriate to recognise the presence of the Airport and its proximity to the coastal marine area and protect aircraft using the Airport. The Airport's designation prevents the</p>	<p>Retain Policy P137</p>

<p>a) infringe the Wellington International Airport height restrictions (shown on Map 50), or</p> <p>b) infringe the Kapiti Coast Airport 1 in 40 gradient approach surface fan expansion along its 3,000m length or the 1 in 7 gradient runway strip side clearances (shown on Map 51) unless the structure is required for airport purposes.</p>		<p>establishment of structures associated with any landside developments that breach the Airport's obstacle limitation surfaces, but as the designation does not apply to the coastal marine area there is risk that structures which breach the Airport's obstacle limitation surfaces could be erected in the coastal marine area without obtaining the approval of the requiring authority or the Council. WIAL therefore supports management of this issue via the Proposed Plan.</p>	
<p>Policy P139: Seawalls</p> <p>The construction of a new seawall is inappropriate except where the seawall is required to protect:</p> <p>a) existing, or upgrades to, infrastructure, or</p> <p>b) new regionally significant infrastructure, and in respect of (a) and (b):</p> <p>d) there is no reasonable or practicable alternative means, and</p> <p>e) suitably located, designed and certified by a qualified, professional engineer, and</p> <p>f) designed to incorporate the use of soft engineering options where appropriate.</p>	<p>Support in part</p>	<p>WIAL supports the policy as it appropriately recognises that regionally significant infrastructure often has spatial and locational constraints that may necessitate the construction of seawalls to protect existing infrastructure as well as protect the development of new or additional infrastructure.</p> <p>WIAL proposes a minor amendment to sub-clause (b) to confirm that the construction of a seawall to protect new additions to existing infrastructure can be considered. The amendment will improve the internal consistency of the Proposed Plan, given Policy P145 provides for reclamation, drainage and destruction associated with the development of regionally significant infrastructure.</p>	<p>Amend Policy P139 as follows:</p> <p><i>The construction of a new seawall is inappropriate except where the seawall is required to protect:</i></p> <p>a) <i>existing, or upgrades to, infrastructure, or</i></p> <p>b) <i>new or additional development of, regionally significant infrastructure, and in respect of (a) and (b):</i></p> <p>d) <i>there is no reasonable or practicable alternative means, and</i></p> <p>e) <i>suitably located, designed and certified by a qualified, professional engineer, and</i></p> <p>f) <i>designed to incorporate the use of soft engineering options where appropriate.</i></p>
<p>Policy P145: Reclamation, drainage and destruction</p>	<p>Support in part</p>	<p>WIAL supports the policy as it is appropriate to enable reclamation, drainage or destruction in the coastal marine area in some circumstances,</p>	<p>Amend Policy P145 sub-clause (b) as follows:</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 of regionally significant infrastructure, and</p> <p>b) there are no other locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and</p> <p>c) there are no practicable alternative methods of providing for the associated activity.</p>		<p>and the policy aligns with Objective 6 and Policy 10 of the NZCPS.</p> <p>However WIAL submits that an amendment of sub-clauses (b) and (c) is required to provide clarity around the extent to which other locations and alternative methods need to be considered and to ensure that consideration of other locations reflects practical locational constraints.</p>	<p>b) <u>there are no other practicable or reasonable locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and</u></p> <p>c) <u>there are no practicable or reasonable alternative methods of providing for the associated activity.</u></p>
<p>Policy P148: Motor vehicles in sites with significant value</p> <p>The use of motor vehicles on the foreshore in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or regionally significant infrastructure purposes.</p>	<p>Support</p>	<p>WIAL supports the use of schedules to clearly identify areas of vehicle exclusion and the provision that is made for the use of motor vehicles where associated with regionally significant infrastructure.</p>	<p>Retain Policy P148</p>
<p>Policy P150: Noise and lighting</p> <p>Noise in the coastal marine area shall be managed by applying the general conditions as set out in clause 5.7.2 of the Plan or by adopting the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Exterior lighting on structures shall avoid being directed at sensitive activities, streets, roads and navigation tracks and shall minimise effects on other users</p>	<p>Support in part</p>	<p>WIAL queries the absence of any reference in Clause 5.7.2 of the Plan to the relevant New Zealand Standard for aircraft noise, despite the fact that sub-clause 5.7.2 (p) (vii) refers to the NZS 6807:1994 relating to helicopter noise.</p>	<p>Amend 5.7.2 to recognise relevant New Zealand Standards for aircraft noise.</p>

<p>and wildlife, unless it is for operational health and safety reasons.</p>	<p>Policy P151: Underwater noise</p> <p>Use and development in the coastal marine area shall be managed to minimise 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.</p>	<p>Support</p>	<p>WIAL supports the assessment of underwater noise on a case-by-case basis, given the absence of a standardised approach precludes the possibility of applying specific noise limits.</p>	<p>Retain Policy P151</p>
<p><b>RULES</b></p>				
<p>Rule R52: Stormwater from large sites – restricted discretionary activity</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 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> </ol>	<p>Support in part</p>	<p>WIAL opposes sub-clause 3 of the rule which appears to apply to all emitters regardless of whether a particular discharge is causing adverse effects or not, and therefore the best practicable option may already be adopted and there is no need to require further improvements.</p>	<p>Delete sub-clause 3 of Rule R52</p>	



<p>3. Minimisation of the adverse effects of stormwater discharges through progressive improvement over time.</p>	<p>Rule R56: Discharges from contaminated land – discretionary activity</p> <p>The use 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>		<p>Support in part</p>		<p>WIAL submits that Rule R56 requires refinement to correct a minor grammatical error, and to improve the consistency of Rules R54, R55 and R56.</p>		<p>Amend Rule R56 as follows:</p> <p><u>The use the of land to assess the concentration of hazardous substances, and or the 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.</u></p>
<p>Rule R149: Maintenance or repair of structures – permitted activity</p> <p>(Note: entire rule not shown below)</p>	<p>Support</p>		<p>WIAL supports this rule as it is appropriate to provide for repairs and routine maintenance of structures in the coastal marine area as a permitted activity.</p>	<p>Retain Rule R149</p>			
<p>Rule R151: Additions or alterations to structures – controlled activity</p> <p>(Note: entire rule not shown below)</p>	<p>Support in part</p>	<p>WIAL supports this rule as it is appropriate to provide for minor additions and alterations to structures in the coastal marine area as a controlled activity.</p> <p>However as discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>Amend Rule R151 as follows:</p> <p>(Note: entire rule not shown below)</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. <i>The use of the structure</i></li> <li>2. <i>Effects on public access</i></li> <li>3. <i>Effects on public open space and visual amenity</i></li> <li>4. <i>Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</i></li> <li>5. <i>Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal</i></li> </ol>				

<p>Rule R157: New or replacement structures for special purposes – controlled activity  (Note: entire rule not shown below)</p> <p>Matters of control</p> <ol style="list-style-type: none"> <li>1. Use of the structure</li> <li>2. Effects on public access</li> <li>3. Effects of disturbance, deposition, discharge and diversion associated with construction</li> <li>4. Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</li> <li>5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule K (surf breaks).</li> <li>6. Lighting and noise mitigation methods</li> </ol>	<p>Oppose in part</p>	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>habitats), Schedule J (geological features) or Schedule K (surf-breaks).</p> <p>Amend Rule R157 as follows:  (Note: entire rule not shown below)</p> <p>Matters of control</p> <ol style="list-style-type: none"> <li>1. Use of the structure</li> <li>2. Effects on public access</li> <li>3. Effects of disturbance, deposition, discharge and diversion associated with construction</li> <li>4. Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</li> <li>5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites); or Schedule F5 (coastal habitats) or Schedule K (surf-breaks).</li> <li>6. Lighting and noise mitigation methods</li> </ol>
<p>Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes – discretionary activity</p> <p>A new structure including a temporary structure or addition or alteration to a structure and the associated use of the structure:</p> <p>a) in a navigation protection area shown on Map 49, or</p>	<p>Support</p>	<p>WIAL supports the restriction of structures within airport height restriction areas and navigation protection areas.</p>	<p>Amend Rule R158 as follows:</p> <p>Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes – discretionary activity</p> <p>A new structure including a temporary structure or addition or alteration to a</p>

<p>b) within a airport height restriction area shown on Map 50 or Map 51, including any associated:</p> <ul style="list-style-type: none"> <li>c) occupation of space in the common marine and coastal area, and</li> <li>d) disturbance of the foreshore or seabed, and</li> <li>e) deposition in, on or under the foreshore or seabed, and</li> <li>f) discharge of contaminants, and</li> <li>g) diversion of open coastal water</li> </ul> <p>is a discretionary activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>h) in respect of condition (a), written approval is given by the relevant airport authority, and</li> <li>i) in respect of condition (b), written approval is given by the Wellington Regional Council Harbourmaster.</li> </ul>		<p>structure and the associated use of the structure:</p> <ul style="list-style-type: none"> <li>a) in a navigation protection area shown on Map 49, or</li> <li>b) within an airport height restriction area shown on Map 50 or Map 51, including any associated:</li> <li>c) occupation of space in the common marine and coastal area, and</li> <li>d) disturbance of the foreshore or seabed, and</li> <li>e) deposition in, on or under the foreshore or seabed, and</li> <li>f) discharge of contaminants, and</li> <li>g) diversion of open coastal water</li> </ul> <p>is a discretionary activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>h) in respect of condition (a), written approval is given by the relevant airport authority, and</li> <li>i) in respect of condition (b), written approval is given by the Wellington Regional Council Harbourmaster.</li> </ul>
<p>Rule R159: Structures in airport height restriction areas or navigation protection areas – prohibited activity  (Note: entire rule not shown below)</p>	<p>Support</p>	<p>Retain Rule R159</p> <p>WIAL supports the prohibition of all new structures within airport height restriction areas where the approval of the relevant authority has not been obtained.</p>

<p><u>NEW RULE IN SECTION 5.7.6 - SEAWALLS</u></p>	<p>Support</p>	<p>WIAL proposes that a new rule be inserted into the Proposed Plan at section 5.7.6 "Seawalls", to clarify the activity status for the development of <u>replacement seawalls</u> and to provide a <u>permitted activity</u> status for the development of <u>replacement seawalls</u> associated with the Wellington International Airport.</p> <p>WIAL considers that this approach will improve the efficiency of the Proposed Plan and support the continued operation of nationally and regionally significant infrastructure, particularly the Port and also the Airport which, due to its locational constraints, is largely situated within the coastal environment and therefore needs to be protected from the forces of the coast. This is consistent with the NZCPS, particularly Objective 6 and Policies 6 and 27.</p>	<p>Insert a new rule within section 5.7.6 of the Proposed Plan as follows:</p> <p><u>Rule R(insert new rule number):</u>  <u>Replacement or maintenance of seawalls – permitted activity</u></p> <p><u>The replacement or maintenance of an existing seawall or part of an existing seawall and the associated use of the replacement in the coastal marine area, including any associated:</u></p> <p>(a) <u>occupation of space in the coastal marine area, and</u>  (b) <u>disturbance of the foreshore or seabed, and</u>  (c) <u>deposition in, on or under the foreshore or seabed, and</u>  (d) <u>discharge of contaminants, and</u>  (e) <u>diversion of open coastal water</u></p> <p><u>is a permitted activity, provided the following conditions are met:</u></p> <p>i. <u>Any replacement or maintenance of a seawall is required for the protection of wharves and infrastructure within a Commercial Port Area or associated with Wellington International Airport, and</u>  ii. <u>Any replacement or maintenance of a seawall shall</u></p>
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<p>Rule R165: Additions or alterations to existing seawalls – controlled activity</p> <p>(Note: entire rule not shown below)</p>	<p>Support in part</p>	<p>WIAL notes that if a new rule is inserted into section 5.7.6 of the Proposed Plan for replacement and maintenance of existing seawalls as recommended above, Rules 165,</p>	<p><u>not extend any further seaward than the existing seawall, and</u></p> <p>iv. <u>Any replacement or maintenance of a seawall is built in the same or similar location as the original seawall, and</u></p> <p>v. <u>Any replacement or maintenance of a seawall has the same or lesser footprint as the seawall structure, and</u></p> <p>vi. <u>Any replacement or maintenance of a seawall maintains the form of the original seawall and there is no increase in the length, width or height of the seawall, and</u></p> <p>vii. <u>Any replacement or maintenance of a seawall is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features).</u></p> <p>viii. <u>The activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</u></p>
<p>Amend Rule R165 as follows:</p> <p>Rule R165: <u>The A additions to, or replacement or alterations to of existing seawalls – controlled activity</u></p>			

		<p>166 and 167 would need minor modification to reflect the presence of the new rule.</p> <p>Furthermore, as discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p><u>The replacement of, or addition or alteration to, an existing seawall and the associated use of the addition in the coastal marine area, including any associated:</u></p> <ul style="list-style-type: none"> <li>(a) <u>occupation of space in the common marine and coastal area, and</u></li> <li>(b) <u>disturbance of the foreshore or seabed, and</u></li> <li>(c) <u>deposition in, on or under the foreshore or seabed, and</u></li> <li>(d) <u>discharge of contaminants, and</u></li> <li>(e) <u>diversion of open coastal water</u></li> </ul> <p><u>That is not permitted by Rule R(insert corresponding new rule number), is a controlled activity, provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(f) any addition 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), and</li> <li>(g) the addition shall not extend any further seaward than the existing seawall, and</li> <li>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</li> </ul>
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			<p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. <i>Effects on public access</i></li> <li>2. <i>Design and construction</i></li> <li>3. <i>Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</i></li> <li>4. <i>Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) or Schedule K (surf-breaks)</i></li> <li>5. <i>Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)</i></li> </ol>
<p>R166 (Note: entire rule not shown below)</p>	<p>Support in part</p>	<p>As noted in WIAL's comments alongside Rule R165 above, the insertion of a new rule relating to replacement and maintenance of existing seawalls would necessitate minor consequential amendments to Rules R165, R166 and R167 to reflect the presence of the new rule.</p>	<p>Rule R166: Seawalls outside sites of significance – discretionary activity</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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p>

<p>R167</p> <p>(Note: entire rule not shown below)</p>	<p>Support in part</p>	<p>As noted in WIAL's comments alongside Rule R165 above, the insertion of a new rule relating to replacement seawalls would necessitate minor consequential amendments to Rules R165, R166 and R167 to reflect the presence of the new rule.</p>	<p>(a) occupation of space in the common marine and coastal area, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants, and</p> <p>(e) diversion of open coastal water</p> <p>that is not a permitted activity under Rule R(Insert new rule number), or a controlled activity under Rule R165 is a discretionary activity.</p>
<p>Rule R167: Seawalls inside sites of significance – non-complying activity</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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>(a) occupation of space in the common marine and coastal area, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants, and</p>			



<p>Rule R184: Occupation of space – discretionary activity</p> <p>The occupation of space in the common marine and coastal area that is not permitted, controlled, restricted discretionary, non-complying or prohibited is a discretionary activity.</p>	<p>Oppose</p>	<p>WIAL notes that the occupation of space in the operative Regional Coastal Plan (Rule 16) is a controlled activity. The Council's section 32 report "Management of the coastal marine area" does not identify adverse environmental effects resulting from the existing controlled activity status that prompt a discretionary activity status. WIAL submits that in the absence of adverse environmental effects, the proposed change to a discretionary activity status is inefficient.</p>	<p>(e) diversion of open coastal water that is not a permitted activity under Rule R(Insert new rule number), a controlled activity under Rule R165 or a discretionary activity under Rule R166, is a non-complying activity.</p> <p>Delete Rule R184.</p>
<p>Rule R186: General surface water and foreshore activities – restricted discretionary</p> <p>(Note: entire rule not shown below)</p>	<p>Oppose in part</p>	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>Amend Rule R186 as follows:</p> <p>(Note: entire rule not shown below)</p> <p>Matters for discretion</p> <ol style="list-style-type: none"> <li>1. Effects on public access</li> <li>2. Effects on public open space and visual amenity</li> <li>3. Use of the structure</li> <li>4. Extent and exclusivity of the occupation of the common marine and coastal area</li> <li>5. Navigation safety</li> <li>6. Lighting and noise</li> </ol>

<p>Rule R192: Beach recontouring for coastal restoration purposes – controlled activity  (Note: entire rule not shown below)</p>	<p>Oppose in part</p>	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>7. <i>Effects on a site or habitat identified in or using Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), or Schedule J (geological features) or Schedule K (surf-breaks)</i></p>
<p>Amend Rule R192 as follows: Matters of control</p> <ol style="list-style-type: none"> <li>1. <i>Timing of the activity associated with coastal fauna</i></li> <li>2. <i>Volume of material removed</i></li> <li>3. <i>Effects of disturbance, deposition, discharge and diversion associated with the activity</i></li> <li>4. <i>Effects on shoreline stability (including dunes and nearshore) and the potential to create a coastal inundation hazard</i></li> <li>5. <i>Effects on the heritage values of structures and sites identified in Schedule E1 (heritage structures) or Schedule E4 (archaeological sites)</i></li> <li>6. <i>Effects on sites and habitats identified in or using Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) and Schedule K (surf-breaks)</i></li> </ol>			

<p>Rule R194: Disturbance or damage – discretionary activity</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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>a) deposition in, on or under the foreshore or seabed, and</li> <li>b) discharge of contaminants</li> </ul> <p>that is not permitted by Rule R188, Rule R191 or Rule R193 is a discretionary activity.</p> <p>Note</p> <p>Rule R194 controls the damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211, Rule R212 or Rule R213.</p>	<p>Oppose</p>	<p>Delete Rule R194</p>
	<p>WIAL is concerned about the substantial duplication of control that occurs between Rules R165, R166, R194, R204, R208, R210 and R216. WIAL is also concerned about the apparent effect of Rule R216 in applying an overriding non-complying activity status to activities that are provided for as discretionary activities under other rules.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>1/. R204 provides for "Destruction, damage or disturbance" in the coastal marine area as a discretionary activity. However Rule R194 provides for "The disturbance or damage of the foreshore or seabed" as discretionary. R204 appears to amply manage the matters encompassed by R194.</li> <li>2/. R208 provides for deposition "in, on or under the coastal marine area" and associated disturbance and discharge as discretionary. R210 provides for "dumping" (including of dredge material) as a discretionary activity. In the RMA, "dumping" is defined as "<i>In relation to waste or other matter, its deliberate disposal</i>". It is unclear whether under the Proposed Plan the placement of dredge material would be assessed as "deposition" or "dumping".</li> <li>3/. R216 specifies that "destruction of the foreshore or seabed in the coastal marine area" and associated disturbance, deposition and</li> </ul>	

<p>Rule R197: Motor vehicles for certain purposes – permitted activity</p> <p>The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes:</p> <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</li> </ul> <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>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</li> </ul>		<p>discharge is a non-complying activity. However R194 and R204 both separately provide for damage (and in the case of R204 for destruction also) as a discretionary activity.</p> <p>R194 has significant overlap with Rule R204. R204 appears sufficient to control the effects envisaged by R194.</p>	
<p>Support in part</p>	<p>WIAL considers that it is appropriate to enable motor vehicles to operate in the coastal marine area where necessary for the operational requirements of regionally significant infrastructure. However, WIAL notes that the term “upgrade” is defined in the Proposed Plan and precludes activities associated with new development.</p>	<p>Amend Rule R197 as follows:</p> <p><i>Rule R197: Motor vehicles for certain purposes – permitted activity</i></p> <p><i>The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes:</i></p> <ul style="list-style-type: none"> <li><i>a) surf lifesaving operations, or</i></li> <li><i>b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</i></li> <li><i>c) local authority activities, including law enforcement, or</i></li> <li><i>d) the <u>development</u>, maintenance, upgrade and operation of regionally significant infrastructure</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) <del>the</del> vehicles shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal</i></li> </ul>	

<p>f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>			<p>disturbance to the foreshore or seabed, and</p> <p>f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>
<p>Rule R200: Dredging for flood protection purposes or erosion mitigation – controlled activity</p> <p>(Note: entire rule not shown below)</p>	<p>Oppose in part</p>	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>Amend Rule R200 as follows:</p> <p>(Note: entire rule not shown below)</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. <i>Effects on public access</i></li> <li>2. <i>Method of dredging</i></li> <li>3. <i>Frequency, volume and timing of disturbance and removal</i></li> <li>4. <i>Quality, nature and composition of the material to be disturbed and removed including the potential presence of contaminants</i></li> <li>5. <i>Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard</i></li> <li>6. <i>Effects on sites or habitats identified in Schedule F2c (bird-coastal), or Schedule F2a (birds-rivers) or Schedule K (surf-breaks)</i></li> </ol>

<p>Rule R202: Maintenance dredging outside a Commercial Port Area or navigation protection areas – controlled activity</p> <p>(Note: entire rule not shown below)</p>	<p>Oppose in part</p>	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>Amend Rule R202 as follows:</p> <p>(Note: entire rule not shown below)</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. <i>Method of dredging</i></li> <li>2. <i>Depth of any dredging including that which occurs in the Hutt Valley Aquifer Zone in the Wellington Harbour (Port Nicholson) shown on Map 30</i></li> <li>3. <i>Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard</i></li> <li>4. <i>Effects of disturbance, deposition, discharge and diversion associated with the activity</i></li> <li>5. <i>Effects on sites and habitats identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), or Schedule J (geological features) or <del>Schedule K (surf-breaks)</del></i></li> <li>6. <i>Effects on the heritage values of sites identified in Schedule E4 (archaeological sites)</i></li> <li>7. <i>Navigational safety and charting including notification of Land Information New Zealand, the Wellington Regional Council</i></li> </ol>
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	<p>Rule R204: Destruction, damage or disturbance outside sites of significance – discretionary activity</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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>a) deposition in, on or under the foreshore or seabed, and</li> <li>b) discharge of contaminants, and</li> <li>c) diversion of open coastal water</li> </ul> <p>that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.</p> <p>Rule R207: Deposition for beach renourishment – controlled activity</p> <p>(Note: entire rule not shown below):</p>	Oppose	<p>WIAL supports the proposed rule framework that differentiates between land inside and outside of scheduled areas of significance.</p> <p>However, WIAL opposes the substantial duplication of control that occurs between Rules R165, R166, R194, R204, R208, R210 and R216. WIAL is also concerned about the apparent administrative implications of Rule R216 in applying an overriding non-complying activity status to activities that are provided for as discretionary activities under the other rules.</p>	<p>Harbourmaster and Maritime New Zealand</p> <p>WIAL seeks that the relationships between Rules R165, R166, R194, R204, R208, R210 and R216 be reviewed to ensure that unnecessary duplication of control is avoided and that an all-inclusive non-complying activity status is not applied to activities that are otherwise provided for by the Proposed Plan.</p>
<p>(Note: entire rule not shown below):</p>	Oppose in part	<p>As discussed elsewhere in this submission, WIAL considers that Schedule K and Map 18 and all associated references should be deleted from the Proposed Plan.</p>	<p>Amend Rule R207 as follows:</p> <p>(Note: entire rule not shown below):</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. <i>Type and composition of the material to be used including its size, roundness, shape and colour</i></li> <li>2. <i>Volume of material to be deposited</i></li> <li>3. <i>Effects of disturbance, deposition, discharge and diversion associated with the activity</i></li> </ol>	

<p>Rule R208: Deposition outside sites of significance – discretionary activity</p> <p>Deposition outside a site and 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, on or under the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants</p>			<p>4. Effects on coastal natural processes including effects on shoreline stability in the vicinity and adjacent areas</p> <p>5. Effects on sites or habitats identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), or Schedule J (geological features) and Schedule K (surf-breaks)</p> <p>6. Measures to manage the loss of the deposited material through wind or water erosion</p> <p>7. Navigational safety and charting including notification of Land Information New Zealand and Maritime New Zealand</p>
	<p>Oppose</p>	<p>WIAL opposes the substantial duplication of control that occurs between Rules R165, R166, R194, R204, R208, R210 and R216. WIAL is also concerned about the apparent administrative implications of Rule R216 in applying an overriding non-complying activity status to activities that are provided for as discretionary activities under the other rules.</p> <p>WIAL notes the lack of clarity about the relationship between Rules R208 and R210, which is discussed in more detail in the comments at R210 below.</p>	<p>WIAL seeks that the relationships between Rules R165, R166, R194, R204, R208, R210 and R216 be reviewed to ensure that unnecessary duplication of control is avoided and that an all-inclusive non-complying activity status is not applied to activities that are otherwise provided for by the Proposed Plan.</p>



<p>that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.</p>	<p>Rule R210: Dumping of waste or other matter outside sites of significance – discretionary activity</p> <p>The dumping of:</p> <ul style="list-style-type: none"> <li>(a) dredge material, and</li> <li>(b) sewage sludge, and</li> <li>(c) fish processing waste from an onshore facility, and</li> <li>(d) ships and platforms or other man-made structures at sea, and</li> <li>(e) inert, inorganic geological material, and</li> <li>(f) organic materials of natural origin, and</li> <li>(g) bulky items consisting mainly of iron, steel, and concrete</li> </ul> <p>from a ship, aircraft or offshore installation or dredging activity outside a site and 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:</p> <ul style="list-style-type: none"> <li>(h) disturbance of the foreshore or seabed, and</li> <li>(i) discharge of contaminants</li> </ul> <p>is a discretionary activity.</p>	<p>Oppose</p>	<p>WIAL opposes the substantial duplication of control that occurs between Rules R165, R166, R194, R204, R208, R210 and R216. WIAL is also concerned about the apparent administrative implications of Rule R216 in applying an overriding non-complying activity status to activities that are provided for as discretionary activities under the other rules.</p> <p>Furthermore, as noted at Rule R194 above, WIAL questions the use of the term "dumping" in relation to the placement of dredge material, particularly in light of the provisions of Rule 208 relating to "deposition". Dredge material is typically not waste, rather it consists of marine sediment and silts that are consistent with the marine environment. It is unclear how R208 would be applied in light of the wide scope of R210.</p>		<p>WIAL seeks that the relationships between Rules R165, R166, R194, R204, R208, R210 and R216 be reviewed to ensure that unnecessary duplication of control is avoided and that an all-inclusive non-complying activity status is not applied to activities that are otherwise provided for by the Proposed Plan.</p>
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<p>Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity</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), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <ol style="list-style-type: none"> <li>occupation of space in the common marine and coastal area, and</li> <li>destruction of the foreshore or seabed, and</li> <li>disturbance of the foreshore or seabed, and</li> <li>deposition in, on or under the foreshore or seabed, and</li> <li>discharge of contaminants, and</li> <li>diversion of open coastal water</li> </ol> <p>is a discretionary activity.</p>	<p>Support</p>	<p>WIAL supports the retention of Rule R214 as the rule appropriately recognises the need to provide for the development and growth of regionally significant infrastructure. Such development and growth is consistent with the purpose of the RMA, particularly by enabling people and communities to provide for their social, economic, and cultural wellbeing. The rule also aligns with Objective 6 and Policies 6, 7 and 10 of the NZCPS. Rule R214 is also indicative of the need for a standalone Objective relating to the development of regionally significant infrastructure, as discussed in the “Objectives” section earlier in this submission.</p>	<p>Retain Rule R214</p>
<p>Rule R216: Destruction – non-complying activity</p> <p>The destruction of the foreshore or seabed in the coastal marine area including any associated:</p> <ol style="list-style-type: none"> <li>disturbance of the foreshore or seabed, and</li> <li>deposition in, on or under the foreshore or seabed, and</li> <li>discharge of contaminants, and</li> <li>diversion of open coastal water</li> </ol>	<p>Oppose in part</p>	<p>WIAL considers that Rule R216 indiscriminately applies a non-complying activity status to all activities involving “destruction” of the foreshore or seabed, even where such destruction is provided for by other rules.</p> <p>R216 therefore conflicts with and duplicates other rules within the Proposed Plan controlling destruction in the coastal marine area (including R165, R166, R200, R201, R204, R205, R214 and R215). Other rules in the Proposed Plan</p>	<p>Delete Rule R216 or amend R216 to ensure that it does not conflict with or duplicate other rules that provide for destruction as a permitted, controlled, restricted discretionary or discretionary activity. A suitable amendment may be as follows:</p>

<p>is a non-complying activity.</p>		<p>apply either a discretionary or a non-complying activity status to such destruction.</p> <p>WIAL also questions the elevation of this activity to a non-complying status in the Proposed Plan when it is provided for as a discretionary activity in the Operative Plan (Rule 40). Rule R215 of the Proposed Plan applies a non-complying activity classification to areas inside sites of significance, therefore the elevation of other destruction to a non-complying classification appears to reduce the internal consistency of the Proposed Plan.</p>	<p>The destruction of the foreshore or seabed in the coastal marine area including any associated:</p> <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> <li>d) diversion of open coastal water</li> </ul> <p>not otherwise provided for by this Plan, is a non-complying discretionary activity.</p>
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MAPS AND SCHEDULES			
PROVISION	POSITION	REASONS	RELIEF SOUGHT
Schedule F2c & Map 18	Oppose in part	<p>WIAL opposes the inclusion of the Wellington International Airport coastline environs in Schedule F2c (Habitats for indigenous birds in the coastal marine area) and the identification of the southern end of the Airport runway on Map 18 as part of the area encompassed by Schedule F2c.</p> <p>WIAL is obliged by civil aviation requirements to undertake bird control activities to ensure aircraft safety. Bird control activities include the use of deterrents such as bird-scaring and the use of "Avanex" bird deterrent grass which WIAL installed in mid-2012. In addition to other environmental factors, WIAL considers that its obligations to carry out bird control activities may have altered the composition of species resident in, or regularly using, and the suitability of, the Airport environs for significant bird habitat.</p> <p>WIAL also notes that the technical report "<i>Coastal and freshwater sites of significance for indigenous birds in the Wellington region September 2013</i>" provided by Council as a supporting document to Schedule F2c and Map 18 identifies the Wellington Harbour coastline extending from Palmer Head to Lyall Bay as a site of significance for indigenous birds. However the report notes that the data underpinning this conclusion was collected in 2010 (p. 42)</p>	<p>Remove the Wellington International Airport environs including the adjoining coastal marine area from Schedule F2c and Map 18 of the Proposed Plan.</p>

		<p>The subsequent and associated technical report titled "A review of coastal and freshwater habitats of significance for indigenous birds in the Wellington region February 2015" reviewed the 2013 report. The 2015 report indicates (Table 3.1, p. 5) that the site was included in Schedule F2c as it satisfies "Diversity" criteria, therefore warranting designation as a Category 2 site, that is, "4-6 threatened or at risk species are known to be resident at or regularly using the site". Footnote 3 to Table 3.1 states that "Species were considered 'resident or regularly using a site' if they have been or are likely to be encountered during 50% or more of bird surveys carried out in the appropriate season".</p> <p>However the site did not meet the other two relevant criteria specified in Table 3.1 that would warrant designation as a significant site, these being "Rarity" and "Ecological Context".</p> <p>The 2015 report goes on to recommend (Section 5, p. 11) that monitoring and re-assessment of the scheduled sites be regularly undertaken to ensure that the schedules remain current. The dynamic nature of the habitats involved, the continual collection of new data and changes to species threat rankings arising from reviews of the NZ Threat Classification System rankings for birds can result in the need to re-classify habitats.</p> <p>Given the extent of modification that has occurred in the Airport's coastal environs and the activities associated with the operation of the Airport, WIAL questions the extent of Schedule F2c that is proposed to be applied along the southern portion of the runway as shown on Map 18.</p> <p>Furthermore, WIAL questions the relevance of the data relied on in support of the schedule and map, given the time elapsed since its collection and the recommendations of the authors of the 2015 report in relation to the need for regular review of scheduled sites.</p> <p>WIAL notes that with regards to regionally significant surf breaks, proposed Objective O37 replicates the use of the term "protect" present in Policy 16 of the NZCPS.</p> <p>WIAL opposes this misapplication of the NZCPS requirement to "protect" surf breaks of regional significance. This requirement is specifically reserved for surf breaks of <u>national</u> significance. In particular, it is inappropriate to extend the requirement to "protect" surf breaks that are not listed in</p>	<p>Delete Schedule K and Map 24 and associated Proposed Plan Objectives, Policies and Rules to give effect to</p>
<p><b>Schedule K &amp; Map 24</b></p>	<p>Oppose in part</p>	<p>Objective O37</p> <p>WIAL opposes this misapplication of the NZCPS requirement to "protect" surf breaks of regional significance. This requirement is specifically reserved for surf breaks of <u>national</u> significance. In particular, it is inappropriate to extend the requirement to "protect" surf breaks that are not listed in</p>	<p>Delete Schedule K and Map 24 and associated Proposed Plan Objectives, Policies and Rules to give effect to</p>

	<p>Schedule 1 of the NZCPS and that have been formed as a direct result of human modification of the coastal marine area.</p> <p>WIAL also opposes the focus of Proposed Plan provisions on surf breaks to the exclusion of other recreational opportunities. Surf breaks are one of various recreational opportunities (for example, swimming, diving, snorkelling, fishing and kite surfing) associated with the coastal marine area. It is unclear why the recreational opportunities associated with surfing have been elevated above other recreational values in the Proposed Plan.</p> <p>WIAL considers that it would be more appropriate and effective (given the number of recreational values associated with the coastal marine area precludes individual provision for each within the Plan) for the Proposed Plan to more broadly address recreational values. By focussing on the avoidance, remediation or mitigation of significant adverse effects on recreational values, the Proposed Plan would better align with the provisions of the RMA, NZCPS, and RPS.</p> <p>WIAL also questions the underpinning assumptions that have resulted in the inclusion of 57 regional surf breaks in proposed Schedule K and Map 24. It is not clear that all of these surf breaks can be properly described as comprising a component of the natural character of the coastal marine area, given the human modification of the coastal environment that in some cases has influenced the surf breaks. This being the case, it is unclear that the Lyall Bay surf breaks warrant a similar level of regard as is required to be had to the surf breaks of national significance identified in the NZCPS.</p> <p>Furthermore, the blanket application of regional significance status to all of the regional surf breaks listed in the <i>New Zealand Surf Guide</i>, regardless of location, consistency, degree of difficulty or quality is subjective (as recognised in section 2.2.1 of the supporting <i>eCoast Marine Consulting and Research</i> report) and not considered to be appropriate. There is no evidence that there has been any consistent or robust methodology used in order to test the validity of the significance status of each surf break.</p>	the relief sought opposite.
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Proposed Natural Resources Plan:

Submitter:

**Mana Coastguard**

Submitter Number:

**S283**



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

Or email: regionalplan@gw.govt.nz

### Your details

Full name: Peter Feely  
 Organisation name: Mana Coastguard  
 (If applicable)  
 Address for Service: P O Box 57-060 Mana Porirua

Telephone no's: Work: Home: Cell: 0272410565  
 Contact person: Peter Feely  
 Address and telephone no (if different from above): 24 Kaimai Place Aotea Porirua

### 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: peter.feely@coastguardmana.org.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): 18.1	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: →	There are currently boat moorings placed adjacent to Mana Island and outside of the Mana bar that are not in the designated mooring areas. These moorings are not for the permanent mooring for vessels but for occasional use. They are of benefit to Coastguard as they provide a secure and safe mooring that vessels in trouble or distress can be directed too or placed on if we have multiple vessels to attend too. These are put in place and maintained by the Mana Cruising Club. These moorings are an important and useful boat safety resource for the Mana sea area.  We understand that under the proposed changes to this plan the costs for



		the consents for these moorings will dramatically increase due to the need for public notification. Asking the Club to pay the considerable fee required to renew these consents would in our opinion put the future of the moorings in jeopardy and their loss would be of concern to us from a safety perspective at sea.
	I seek the following decision from WRC (give precise details): ➔	We ask that the Public Notification requirement is removed from section 18.1 The decision as to whether it should be publically notified or not should be assessed on a case by case basis.

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: Peter Feely

Date: 9<sup>th</sup> October 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): →	

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): →	

Proposed Natural Resources Plan:

Submitter:

**Aohanga Incorporation**

Submitter Number:

**S284**



# 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: Alexander Haddon Webster  
Company name: Aohanga Incorporation  
Address1: c/o 50 Bicknells Rd RD1  
Address2:  
Address3:  
Address4:  
Town: Featherston  
Postcode: 5771  
Telephone Work:  
Telephone Home:  
Telephone Cell:  
Email address: [a.awebster@xtra.co.nz](mailto:a.awebster@xtra.co.nz)

### Trade competition

could not 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)

do wish 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.]

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

Date: 13 10 2015



**Introduction**

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

Reasons for my submission:

My submission on this provision is:

The introduction says the region has six mana whenua. The two relevant ones for Aohanga Incorporation are Ngati Kahungunu ki Wairarapa and Rangitane o Wairarapa. The introduction talks of (1.2) Mahitahi - a work in partnership. I can assure you we have seen none of that. The GWRC sent out mail to those affected by changes to the plan. I was at a GW meeting for another affected trust and found out by accident that there were changes to the plan that affected Aohanga. I found out that a desk top cut and paste mostly of DOC information was used to do the plans. Question- Has Te Upoko Taiiao taken over management of the DOC estate in Wairarapa. The owners/ shareholders of Aohanga Incorporation have blue water title to the lands and coast from the Matakona River to the Owahanga River. We as owner uphold Kaitiakitanga over our lands. The Matakona river is and has been fenced off from stock for decades to well above the tidal zone. We also have a Nga Whenua Rahui kawenata of over 2000ha. Papauma Hapu have shared interest in the coastline from the Whareama river in the south to Poroporo in the north.

we also

NO CONSULTATION WITH AFFECTED PARTY

NO CONSULTATION WITH AFFECTED PARTY

CONSULTATION









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	oppose	manifestly unjust rule as the farms size increases the amount in percentage terms decreases. exclude tracking and fencelines. Our property would clear for tracking and fencelines more that 3000m2 per year.	exclude fencelines and tracking, find different system for large farms, perhaps use percentage system?
rule r100	oppose	manifestly unjust rule as farm size increases the amount in percentage terms decreases. Must exclude clearance of gorse,blackberry broom etc plus manuka,kanuka, tauhini etc.	exclude spraying of tracks and fencelines, work out different method for scale of farm sizes
rule 101	amend	exclude noxious weed control	exclude noxious weed control
livestock exclusion rule97	amend	i see that the plan has tried to cover this complicated issue but it will remain problematic. The east coast of Wairarapa has some of the lowest rainfall in NZ. But also has some of the largest rainfall events. Predominantly most flat land on these farms is on river flats. The flat land is in short supply on these farms .Large rain events remove fences quickly .On the Mataikona river the neighbours have give and take fences on higher ground.	recognise that stock water issues will always be problematic in some areas of the Wairarapa.
		The Mataikona is a ephemeral river and drops down to pools in the summer. These pools are used by stock for drinking water in summer.	







Proposed Natural Resources Plan:

Submitter:

**Land Matters LTD**

Submitter Number:

**S285**







## Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of Land Matters Ltd a resource management and property consultancy based on the Kapiti Coast working across the Wellington Region.

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

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

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission.

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission. The ~~provisions in strike through font~~ highlight the areas in the Proposed Regional Plan the submitters wants deleted. The provisions in underline font highlight the areas the submitters wants included.

The submitters wishes to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to be "Anna Carter", written over a horizontal line.

Signature of person authorised to sign  
on behalf of submitters

Date 27 October 2015

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## 1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and provides advice to clients across the Wellington Region. Land Matters Ltd is based on the Kapiti Coast.
- 1.2 In this submission, Land Matters are the 'submitters.' This submission addresses some specific and some broad concerns Land Matters Ltd has.

## 2.0 GENERAL COMMENTS

- 2.1 Land Matters provided comments on the Draft Proposed Regional Plan and appreciated the opportunity to do so.

Land Matters notes that there were some substantive changes adopted in the Proposed Regional Plan as a result of the Council considering comments from the community on the Draft version but notes that there are still substantial areas that need review. Land Matters asks that the content of these submissions continue to be given due attention given the financial and other ramifications that many of the rules and policies will have on landowners.

- 2.2 Land Matters supports a combined regional plan but would like to see more cross-referencing throughout the plan to make it obvious where there are similar objectives, policies or rules that need to be reviewed/referenced.
- 2.3 Land Matters is concerned about the adherence to a mitigation hierarchy as described in Schedule G, and the application of the term "minimisation of effects" (i.e. first seek to avoid, then to remedy and then to mitigate) as described in policy P4 and applied generically in the Proposed Regional Plan. Land Matters oppose any attempt to define "minimisation of effects" as the Proposed Regional Plan's attempt to do this places undue restrictions on a project.

The minimisation of effects should only be applied to non-complying activities where the "no more than minor" assessment which is the threshold test for otherwise non-complying activities under a district or regional plan is provided for in section 104D of the Resource Management Act 1991. In all other categories of activities (controlled, restricted discretionary or discretionary) section 104(1)(a) applies which is that consent authorities must, "*have regard to ... any actual of physical adverse effects ....*"

It is Land Matters view that the Regional Plan is not the best place to apply a mitigation hierarchy unless it is in relation to an outstanding natural feature or significant feature or for an activity that is classified as non-complying. Decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Adverse effects can then be considered in the round, weighed up against the positive effects of a proposal and any conditions or mitigation measures that lessen the impact of the proposal.

- 2.4 It is Land Matters view that Proposed Regional Plan should treat all resource users as equitably as possible reflecting landowners as kaitiaki for their land. While the Regional Council has

certain obligations under the Resource Management Act (the 'Act') landowners should be treated to the same levels of consultation and timeframes as any other resource user.

Similarly, the community-of-interest should also have a voice when it comes to whether a waterbody is to be protected for its recreational qualities, food/kai values, or its ecological and biological values.

Equity and fairness are the basis for many of the submissions made by Land Matters Ltd.

### 3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HEIRARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 Land Matters Ltd oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water quality provisions and in particular the non-compulsory values that may be included as provided for under the NPS-FW.

Land Matters Ltd oppose the generic approach the Council has adopted in this Proposed Regional Plan and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

- 3.2 Land Matters Ltd oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify "values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

Land Matters Ltd are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. Land Matters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

- 3.3 Land Matters Ltd oppose all provisions that require in the first instance, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment.

Land Matters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government.

Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan.

Land Matters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongst the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, Land Matters is concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies in other areas could be of good quality and stable and do not require the same sort of treatment. For example, and according to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*

- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapouri is noted as having 'Fair' water quality and the Mangaone Estuary as having 'Fair' recreational grade)*
- *Waitohu Stream hill country has 'Excellent' water quality*
- *Otaki River mid section has 'Excellent' water quality and 'Very Good' recreational grade*
- *Inland Waikanae River has 'Good' water quality and 'Excellent' water quality in the lower reaches with 'Good' recreational grade*

According to Section 32 Report '*Ki Uta ki Tai*,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "*GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ...*" (Paragraph 3.2.6).

- 3.4 Land Matters Ltd opposes all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, Land Matters considers that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly Land Matters notes that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, Land Matters considers the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

*S.6 Matters of National Importance*

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

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) *the protection of protected customary rights.”*

Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to “protected customary rights.” The Marine and Coastal Area (Takutai Moana) Act 2011 defines ‘protected customary right’ as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840<sup>1</sup>.

- 3.6 Land Matters Ltd seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 Land Matters Ltd supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. Land Matters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. Land Matters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 Land Matters Ltd opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, “Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater” as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

### 3.9 Relief Sought

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<sup>1</sup> Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>



- 3.9.1 Land Matters Ltd oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whitua committee process. Such provisions are likely to be considered ultra vires as a submitter can not consider the effects of variations before they have been adopted. Furthermore, all notes relating to the Whitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation is granted and at that time any planning provision would become apparent. The provisions that should be deleted include, but are not limited to:

*Policy P63: Improving water quality for contact recreation and maori customary use*

...

~~*Note: Whitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whitua. These may be incorporated into the Plan by a future plan change or variation."*~~

*Policy 65: Minimising effects of nutrient discharges*

*"The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:*

- (a) good management practices; and*
- (b) information gathering, monitoring, assessment and reporting, and*
- (c) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and*
- ~~*(d) regulatory and non-regulatory methods, and*~~
- ~~*(e) plan changes or variations resulting from catchment-specific recommendations from the Whitua committee process."*~~

- 3.9.2 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

*Schedule H1 and Rivers shown on Map 20:* In line with the principle that the Whitua process should determine the non-compulsory values, Land Matters also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20. Not all parts of all waterbodies are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

*Objective 05*

*"Fresh water bodies and the coastal marine area, as a minimum, are managed to:*

- (a) safeguard aquatic ecosystem health and mahinga kai;*

~~(b) provide for contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and

(c) in the case of fresh water, provide for ~~the health needs of people~~ secondary recreational contact and/or provision of potable water\* (\* would require a new definition for 'secondary recreational contact')

Objective 24

~~"Rivers, lakes, natural wetlands, and coastal water are suitable for contact recreation and Maori customary use, including by:~~ "Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation fresh water bodies are suitable for contact recreation

~~and Maori customary use, including by:~~

(a) maintaining water quality; or

(b) improving water quality in

i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and

ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contract recreation objectives in Table 3.2."

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20"

Objective O25

~~"To safeguard aquatic ecosystem health~~ and mahinga kai in fresh water bodies and coastal marine area:

(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and mahinga kai~~, and

(b) restoration of aquatic ecosystem health ~~and mahinga kai~~ is encouraged over time\* (\* refer paragraph 8.0 of this submission), and

(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"

Policy P10: Contact recreation and Maori customary use

~~"The management of natural resources shall have particular regard to the actual and potential adverse effects on~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, in fresh and coastal water, ~~including by:~~

~~(a) providing water quality and, in rivers, flows suitable for the community's objectives for contact recreation and Maori customary use~~

~~(b) managing activities to maintain or enhance 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~~

~~(c) encouraging improved access to suitable swimming locations, and~~

~~(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area~~

*Policy P31: Aquatic ecosystem health ~~and mahinga kai~~*

*"Aquatic ecosystem health ~~and mahinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:*

- (a) ~~minimise~~ limit adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and*
- (b) ~~minimise~~ limit 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*
- (c) ~~minimise~~ limit adverse effects on habitats that are important to the life cycle and survival of aquatic species, and*
- (d) ~~minimise~~ limit adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and*
- (e) ~~avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and~~*
- (f) ~~minimise~~ limit adverse effects on established riparian habitats and restore them where practicable, and*
- (g) ~~avoid the introduction, and restrict the spread of, aquatic pest plants and animals."~~*

*Policy P32: Adverse effects on aquatic ecosystem health ~~and mahinga kai~~*

*"Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. ~~by:~~*

- ~~(a) avoiding significant adverse effects; (see comments in next section under 'Water Quality')~~*
- ~~(b) where significant adverse effects cannot be avoided, remedying them, and~~*
- ~~(c) where significant adverse effects cannot be remedied, mitigating them, and~~*
- ~~(d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.~~*

*Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)"*

*Policy P62: Promoting discharges to land*

*"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) secondary recreational contact and/or provision of potable water\* ~~contact recreation and Maori customary use."~~*

*Policy P70: Managing point source discharges for aquatic ecosystem health ~~and mahinga kai~~*

*"Where an objective in Table 3.4, Table 3.5, or Table 3.8\* of Objective O25 is not met, point source discharges to water shall be managed in the following way ...."*

*\*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.*

- 3.9.3 Land Matters Ltd opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. Land Matters opposes any “mitigation hierarchy” including the reference in Schedule G. The submitter opposes the attempt to define “minimisation of adverse effects” under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions that are opposed include, but are not limited to the following:

*Objective O19*

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

*Policy P4: Minimising adverse effects*

“Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practical 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) where possible, 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 small as practicable.”

*Policy P26: Natural processes*

“Use and development will be managed to ~~minimise\*~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes.” The submitter opposes the use of the word “minimises with the current definition as set out in Policy 4 above but would support an amended Policy P4.

- 3.9.4 Land Matters oppose any provisions which impose additional restrictions on adjoining land on the basis that they are “buffers” or provide “connections” between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

*Objective O28*

~~The extent of natural wetlands is maintained or increased and~~ where possible their extent and condition is restored over time.

*Policy P30: Natural buffers*

~~The adverse effects of Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.~~

- 3.9.5 Land Matters Ltd oppose any provisions which require ‘restoration’ and/or ‘enhancement’. Land Matters is seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

*Objective O3*

*Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters*

*Objective O9*

*“The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time.”*

*Objective O11*

*“Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time.”*

*Objective O23*

*“The quality of water in the region’s rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time.”*

*Objective O28*

*“The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time.”*

*Objective O29*

*“use and development provides for the passage of fish and koura and where possible/identified the passage of indigneous fish and koura is restored over time.”*

*Objective O30*

*“The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time.”*

*Objective O33*

~~“Sites with Significant~~ *The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time.”* Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the ‘values’ of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

*Objective O35*

*"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."*

*Objective O38*

*"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."*

*Policy P17: Mauri*

*"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:*

- (a) managing the individual and cumulative effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and*
- (b) providing for activities that sustain and where possible/identified enhance mauri over time*
- (c) recognising the role of kaitiaki in sustaining mauri"*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."*

*P44: Protection and restoration of sites with significant mana whenua values*

*"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored.~~"*

- 3.9.6 Land Matters Ltd support the Proposed Regional Plan identifying 'protected customary rights'. Land Matters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 Land Matters Ltd supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

*Objective O33*

*~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."*

*~~Policy P44: Protection and restoration of sites with significant mana whenua values~~*

*~~"Sites with significant mana whenua values shall be identified in Schedule C (mana whenua) shall be protected and/or restored"~~*

*Policy P45: Managing adverse effects on sites with significant mana whenua values*

~~“in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should be avoided.~~

~~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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori. as recommended in the cultural impact assessment by:~~

- ~~(a) avoiding more than minor adverse effects, and~~
- ~~(b) where more than minor adverse effects cannot be avoided, remedying them, and~~
- ~~(c) where more than minor adverse effects cannot be remedied, mitigating them, and~~
- ~~(d) receiving written consent of the iwi authority.~~

~~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.”~~

3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *“Mahinga kai” - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *“Mahinga kai – kei te ora te mauri” - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *“Mahinga kai fishing” – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.”*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

#### 4.1 WATER QUALITY

4.1 Land Matters Ltd recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid

over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, Land Matters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

- 4.2 Land Matters Ltd oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. Land Matters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. Land Matters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment's water quality should be improved or not.

The wording of the NPS-FW is to "to maintain or improve the overall quality of freshwater within a region." The Land and Water Forum working on the wording on the NPS-FW recommended that "maintain" means staying within the same band and "improve" means moving to a higher band<sup>2</sup>. To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs). In the Wellington Region this is being done through the Whaitua process.

- 4.3 Land Matters Ltd oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. Land Matters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.4 Land Matters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. Land Matters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.5 Land Matters oppose Rule 89 being the discharge of contaminants onto or into land and the associated discharge of odour from a new farm refuse dump. Land Matters consider that the area of 50m<sup>3</sup> is insufficient to meet their daily needs; and that there appears to be no basis for the other provisions relating to requirements that they are located in silty or clary soils or that they not be located within an area prone to flooding or ponding; that they not be located 0.6m above the seasonally highest water table. Land Matters consider that it would be more

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<sup>2</sup> Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,



appropriate and simpler if the rule just referred to a set-back distance from water supplies which are used for potable water.

- 4.6 Land Matters Ltd oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. Land Matters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submitter considers that the provision in Rule 94(c) that “*sediment laden surface water resulting from cultivation does not flow to a surface water body*” is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. Land Matters would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.

- 4.7 Land Matters Ltd are concerned that the provisions relating to earthworks do not exclude the construction of new farm tracks and make no provision for construction of new forestry tracks. Land Matters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm and forestry tracks subject to compliance with some appropriate permitted activity standards/conditions. Land Matters consider that provided new farm and forestry tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) all effects will be appropriately managed.

Similarly, Land Matters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not be subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to “people” not discharging contaminants or water into water (refer section 15 of the Act).

- 4.8 Land Matters Ltd oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Specifically Land Matters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). Land Matters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed. Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.

Land Matters Ltd also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Land Matters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more. Land Matters notes that the change from 28 degrees to 20 degrees has come about because Greater Wellington Regional Council wants to be consistent

with its neighbouring regional council to the north – Horizons. While the new provision is consistent with Horizon’s One Plan it is inconsistent with almost every District Plan in the Wellington Region which are the District’s that matter, including:

- i. Kapiti Coast District Council’s Operative and Proposed District Plan
- ii. Porirua City Council’s Operative District Plan
- iii. Wellington City Council’s Operative District Plan (set at 34<sup>o</sup>)
- iv. Hutt City Council’s Operative District Plan which doesn’t reference a slope
- v. Upper Hutt City Council’s Operative District Plan

Land Matters also understands that the increase in slope was introduced to be “consistent with the Ministry for the Environment’s assessment of what erosion prone land is.” Yet the Ministry’s own website notes that there are three criteria for assessing erosion prone land and slope is only one of those as noted below:

*“Erosion risk is classified by degree: severe, very severe, or extreme. This classification is based on three considerations:*

- *Soils and underlying geology – areas with yellow-brown earths situated on weakly consolidated mudstones and sandstones pose greater erosion risk.*
- *Slope or altitude – areas with slopes more than 21 degrees or situated 1000 metres above sea level pose greater erosion risk.*
- *Land cover – whether erosion-prone areas are in pasture or other more appropriate vegetation to hold the soils in place<sup>3</sup>.”*

It is Land Matters submission that the PRP needs to be more specific about identifying erosion prone land based on the set of criteria above instead of just applying a generic “across the board” approach where all slopes above 28 degrees are considered erosion prone.

- 4.9 Land Matters Ltd oppose the provisions relating to maintenance of drains. Land Matters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. Land Matters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead the submitters would support a ‘best practice provision’ which states, ‘where possible, all fish and koura should be returned to the drain.’ Land Matters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

#### 4.10 Relief Sought

- 4.10.1 Land Matters Ltd seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.

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<sup>3</sup> Source: Ministry for the Environment Website – “Environmental indicator for land: Soil erosion risk” (<http://www.mfe.govt.nz/more/environmental-reporting/land/soil-erosion-risk-indicator>)

- 4.10.2 Land Matters Ltd oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. Land Matters supports changes to the provisions that provide instead for “best practice” and “to avoid wherever practicable discharges to surface water bodies” by aerial topdressing pilots.
- 4.10.3 Land Matters Ltd oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. Land Matters support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.
- 4.10.4 Land Matters Ltd opposes rule 89 and seeks for it to be amended to allow for a refuse up to 100m<sup>3</sup> in size. Land Matters seeks that Rule 89 (c)(ii) be deleted; that rule 89(d)(i) be deleted; that rule 89(e) be deleted; that Rule 89(h) be deleted; and that Rule 49(i) be deleted.
- 4.10.5 Land Matters Ltd oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. Land Matters oppose the activity status of ‘discretionary’ for any non-compliance and state that at the most any activity not complying should be ‘controlled.’ Land Matters would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.
- 4.10.6 The submitters oppose the definition of “natural wetlands”. The submitter supports amending the definition to exclude areas of land that might contain a large number of rushes; and/or another type of wetland type species but no other wetland indicator species.

Land Matters Ltd oppose all provisions relating to wetlands in general including Rules 5.5.2, Rule R104, R105, R106, R107, R108, R109, R110 and R111.

Land Matters support the following amendments being made, but are not limited to, the following:

*“Natural Wetland*

*...*

*“Natural wetlands do not include:*

*(a) damp gully heads, or wetted pasture, or pasture predominantly containing with patches of rushes or pastures predominantly containing one wetland species having no other wetland indicator species....”*

*Rule 104: Structures in natural wetlands and significant natural wetlands – permitted activity*

*“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:*

- (a) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (b) deposition in, on or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (c) diversion of water, and*

*(d) discharge of sediment to water*

*is a permitted activity, provided the following conditions are met:*

~~*(e) only hand-held machinery is used in any area of the natural wetland, and*~~

*(f) the activity shall comply with the wetland general conditions for activity in natural wetlands, significant natural wetlands and outstanding natural wetlands specified above in Section 5.5.2"*

*Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity*

*"The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a natural wetland, significant natural wetland, or outstanding natural wetland including any associated:*

*(a) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*

*(b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*

*(c) damage to part of the foreshore or seabed that forms part of a natural wetland, and*

*(d) diversion of water, and*

*(e) discharge of sediment to water*

*is a permitted activity provided the following conditions are met:*

*(f) only appropriate indigenous wetland species are deliberately introduced or planted, and*

*(g) only appropriate pest plant species are deliberately removed or controlled, and*

*(h) only agrichemicals approved by the Environmental Protection Authority are used, and*

~~*(i) agrichemicals are not applied by aerial spraying, and*~~

~~*(j) only hand-held machinery is used in any area of the wetland, and*~~

*(k) 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"*

4.10.7 Land Matters Ltd opposes all provisions relating to drain clearance. Land Matters supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; Land Matters support provisions that provide for best practice when returning fish and koura to drains if they have been removed during the clearance process; Land Matters support the removal of woody debris from drains.

4.10.8 Land Matters Ltd opposes all provisions relating to earthworks and control of stormwater where it comes from an area of earthworks. Land Matters opposes Rule 48 and seeks that it be deleted.

4.10.9 Land Matters Ltd opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to "exclude" the construction of "new" farm and "forestry" tracks.

Land Matters supports a new permitted activity rule for new farm and forestry tracks as follows:

*"New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –*

*(a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;*

- (b) *earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained*
- (c) *work areas are stabilised within six months after the completion of the works*
- (d) *any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –*
  - a. *the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or*
  - b. *any conspicuous change in colour or visual clarity, or*
  - c. *any emission or objectionable odour, or*
  - d. *the rendering of fresh water unsuitable for consumption by animals, or*
  - e. *any significant adverse effect on aquatic life.”*

4.10.10 Land Matters Ltd oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).

4.10.11 The submitter opposes the definition of ‘erosion prone land’ as set out in Chapter 2 of the Proposed Regional Plan and seeks for it either to be amended to be in relation to slopes greater than 28 degrees to be consistent with the District Council’s in the region; OR to identify throughout the region land that meets the Ministry for the Environment Criteria and for this land to be identified in a meaningful way in the Regional Plan.

4.11.12 Land Matters Ltd opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. Land Matters supports Rule 101 being a *restricted discretionary activity* where Council’s discretion is limited to management of sediment from construction and long term effects from the earthworks.

## 5.0 WATER QUANTITY & WATER ALLOCATION

5.1 Land Matters Ltd recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council’s in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

Land Matters supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that “have been degraded by human activities to the point of being over-allocated”. The submitters oppose the region-wide limits on water takes.

Land Matters supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason Land Matters opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

5.2 Land Matters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

5.3 Land Matters Ltd oppose the restrictions to prevent water takes where the water is within 50m of a natural wetland (noting that Land Matters reserves their right to withdraw this objection should the criteria for natural wetlands be amended).

5.4 Relief Sought

5.4.1 Land Matters Ltd oppose the definition of natural wetlands and all rules relating to wetlands and supports the following amendments being made, but not limited to, the following:

*“Natural Wetland*

*...*

*“Natural wetlands do not include:*

*(a) damp gully heads, or wetted pasture, or pasture predominantly containing with patches of rushes or pastures predominantly containing one wetland species having no other wetland indicator species....”*

*Rule 104: Structures in natural wetlands and significant natural wetlands – permitted activity*

*“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:*

*(g) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*

*(h) deposition in, on or under a river or lake bed ,or foreshore or seabed that forms part of a natural wetland, and*

*(i) diversion of water, and*

*(j) discharge of sediment to water*

*is a permitted activity, provided the following conditions are met:*

*~~(k) only hand held machinery is used in any area of the natural wetland, and~~*

*(l) the activity shall comply with the wetland general conditions for activity in natural wetlands, significant natural wetlands and outstanding natural wetlands specified above in Section 5.5.2”*

*Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity*

*“The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a natural wetland, significant natural wetland, or outstanding natural wetland including any associated:*

- (l) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (m) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (n) damage to part of the foreshore or seabed that forms part of a natural wetland, and*
- (o) diversion of water, and*
- (p) discharge of sediment to water*

*is a permitted activity provided the following conditions are met:*

- (q) only appropriate indigenous wetland species are deliberately introduced or planted, and*
- (r) only appropriate pest plant species are deliberately removed or controlled, and*
- (s) only agrichemicals approved by the Environmental Protection Authority are used, and*
- ~~*(t) agrichemicals are not applied by aerial spraying, and*~~
- ~~*(u) only hand-held machinery is used in any area of the wetland, and*~~
- (v) 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”*

5.4.2 Land Matters Ltd oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. Land Matters supports returning to the limits set under the Operative Regional Plans until such time that the Waitua process identifies which waterbodies have been over-allocated.

## **6.0 AIR QUALITY**

6.1 Land Matters Ltd opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitter opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

Land Matters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are “likely to be directly affected by the discharge” or owners and occupiers of properties who “request a copy.” The latter provision could mean that people not even affected could request a copy of a spray plan. Furthermore, what does it mean to be ‘directly affected?’ Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a

number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

Land Matters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. Land Matters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis Land Matters questions whether Rule 36 (i) is relevant at all.

## 6.2 Relief Sought

6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

- (g) *the applicator, manager or owner of the property shall prepare a spray plan at least once per annum; and*
  - (i) identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Seciton 5.3 and appendix M4, and*
  - (ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*
  - (iii) gain written agreement from adjoining neighbours that notification is not required, and*
  - (iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the discharge or likely to be directly affected by the discharge, or requests a copy,, and*
- (h) ...
  - ~~(i) for ground based applications where the applicgtor 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~~

## 7.0 BIODIVERSITY

7.1 Land Matters Ltd opposes requirements to ‘restore’ ecosystems and habitats with significant indigneous biodiversity. The requirement to ‘restore’ goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigneous biodiersity and



habitats with significant indigenous fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

- 7.2 Land Matters Ltd oppose all provisions which require connections be created between two or more habitats. A significant habitat must be considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

### 7.3 Relief Sought

- 7.3.1 Land Matters Ltd opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

*Policy P40: Ecosystems and habitats with significant indigenous biodiversity values*

*"Protect, and where possible restore over time, the following ecosystems and habitats with significant indigenous biodiversity values:*

- (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes);*
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and*
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);*
- (d) the ecosystems and habitat types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats)."*

- 7.3.2 Land Matters Ltd opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

*Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values*

*"In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:*

- ~~(a) maintain ecological connections within and between those habitats, or~~*
- ~~(b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and~~*

- ~~(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and~~  
(d) avoid cumulative adverse effects on, and the incremental loss of the values of those ecosystems and habitats.”

## 8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council’s a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such Land Matters Ltd oppose the adoption of a precautionary approach in the Regional Plan unless it is in relation to the coastal environment as described within the National Coastal Policy Statement. Land Matters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likley, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

### 8.2 Relieft Sought

8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

#### *Objective O9*

*“The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time.”*

#### *Objective O11*

*“Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time.”*

#### *Objective O23*

*“The quality of water in the region’s rivers, lakes, natural wetlands, groundwater and the coastal marine area is maturated, or where possible, improved, over time.”*

#### *Policy P3: Precautionary Approach*

*Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the risk of adverse effects the activity may have on this environment may be both high and likely to occur.*

*Objective 047*

*"The amount of sediment-laden runoff entering water is reduced over time."*

*Policy P20: Exercise of Kaitiakitanga*

*"Kaitiakitanga shall be recognised and provided for by:*

- (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 Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

*Policy P35 Restoring fish passage*

*"The passage of indigenous fish and koura shall be restored, over time, where this is appropriate for the management and protection of indigenous fish and koura populations."*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."*

## 9.0 LANDSCAPES

- 9.1 Land Matters Ltd oppose the blanket inclusion of special amenity landscapes in District Plans. Land Matters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. Land Matters supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. Land Matters would support the consideration of special amenity landscape *values*, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.
- 9.2 Land Matters Ltd oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

### 9.3 Relief Sought

- 9.3.1 Land Matters Ltd opposes any provisions relating to special amenity landscapes. Land Matters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

~~Objective O38~~

~~"Identified special amenity landscape values are maintained or enhanced."~~

~~Policy P49: use and development adjacent to outstanding natural features and landscapes and special amenity landscapes~~

~~"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:~~

- ~~(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and~~
- ~~(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape."~~

## 10. BEDS OF LAKES AND RIVERS

- 10.1 Land Matters Ltd oppose the rules relating to river crossings and culverts. Land Matters consider that the application of region-wide provisions for culverts are not necessarily applicable across all of the region as there are different climatic conditions necessitating certain culvert sizes. Land Matters Ltd supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.
- 10.2 Land Matters Ltd also oppose Rule 114(g) which limits formed crossings to 20m<sup>2</sup> as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.
- 10.3 Land Matters Ltd oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

10.4 Relief Sought

10.4.1 Land Matters Ltd oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.

10.4.2 Land Matters Ltd oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.

Proposed Natural Resources Plan:

Submitter:

**Wellington City Council**

Submitter Number:

**S286**



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Wellington City Council (WCC) wishes to be heard in support of its submission.

Wellington City Council is not a trade competitor and would not gain an advantage in trade competition through this submission.

## 1. Introduction

Thank you for the opportunity to make a submission. WCC supports the approach of the Proposed Natural Resources Plan to provide a robust framework for the management and protection of the natural environment in the Wellington region.

WCC seeks a number of changes and its submission is outlined below.

## 2. General Comments

Wellington City's population is expected to grow by around 50,000 people and 22,000 new homes over the next 30 years. The Urban Growth Plan is our strategy to manage this growth sustainably and integrate our transport planning. To do this, we will need to ensure new houses, transport networks, infrastructure and services are provided. In addition, we have a number of documents that aim to provide a robust framework to protect the natural environment.

The guiding principles behind the Urban Growth Plan are:

- keep our city compact, walkable and supported by an efficient transport network
- maintain the features that support our high quality of life



- protect the city's natural setting and reduce the environmental impacts of development and transport
- make the city more resilient to natural hazards, such as earthquakes, and the effects of climate change.

Our strategy is to direct urban growth where it will benefit the city most and is supported by a quality transport network:

- along the 'growth spine', between Johnsonville and the airport
- around the central city
- around selected suburban centres which can support intensification
- in 'greenfield' areas, north of the city, at Lincolnshire Farm and Stebbings Valley.

Many of GW's functions either directly or indirectly impact on the provision of infrastructure and/or are required for the functioning of the urban environment. In addition, the vibrancy and vitality of Wellington depends on its interaction and relationship with the coast. The coastal interface provides for a range of recreational and economic opportunities and contributes to the social, economic and cultural wellbeing of the people and communities of Wellington.

For Wellington to thrive we need to understand and prepare for climate impacts, assess our vulnerability to extreme weather events and sea level rise. WCC is responding through mitigation and adaption initiatives within the Council and the community to enhance resilience. Council's approach to climate change is outlined in its Climate Change Action Plan.

Likely impacts of climate change are:

- more frequent extreme storms causing flooding and slips and coastal erosion
- changing rainfall patterns and increased temperatures leading to pressures on water supplies
- Sea level rise leading to increased coastal erosion and effects on coastal infrastructure

There are a number of choices in how we respond to climate change. In the case of sea level rise we can accommodate the changes, enhance natural or engineered defences, retreat and focus on less vulnerable parts of the city. Whatever response it is likely to have an impact on some aspect of infrastructure or activities within the CMA and the beds of lakes and rivers.

Having an attractive and healthy environment is important and WCC's Biodiversity Action Plan expresses WCC's vision, goals and priorities in protecting and restoring Wellingtons' indigenous biodiversity. WCC has moved from a position of identifying significant biodiversity to actively managing it and a number of these management activities occur in or near the coastal marine area and the beds of lakes and rivers. We recognise that Wellington is an urban environment and will achieve our goal of protecting biodiversity by focussing on the protection of priority biodiversity sites and rare, threatened or locally significant species.

WCC's submission will focus mainly on:

- the implications of the provisions relating to the City's greenfield growth areas
- the implications for providing supporting infrastructure to allow for the ongoing use and development of the urban areas of the city
- the impact of climate change and the need to be resilient
- the importance of having an appropriate policy framework for the recognition and protection of indigenous biodiversity.

## 2.1 Urban Environment

The existing urban environment is an important regional resource and its continued operation as well as the development of new urban environments cannot occur without the use and development of some natural resources. The PNRP does not fully recognise or provide for the benefits of the use and development of the urban environment.

WCC supports provisions that provide for the integration of the natural and built environment. In addition WCC recognises the benefits to the health and well-being of its residents, of having nature within and close to the City. WCC supports approaches that integrate living in a modified environment with environmental outcomes and believes that development and environmental outcomes are not mutually exclusive. WCC seeks changes and amendments to the plan that recognise and provide for the continued use and development of the urban environment while ensuring high quality natural environments.

Lack of recognition of the value of the urban environment and associated supporting infrastructure will mean that the positive effects of the provision of roading and network infrastructure are not given sufficient weight when assessing resource consent applications for the ongoing use and development of land and infrastructure. The definition of '*regionally significant infrastructure*' does not include local roads or associated infrastructure (seawalls). WCC has a significant amount of important infrastructure in areas adjoining the CMA. The Council needs to be able to maintain and replace this infrastructure without unreasonable controls being placed on its statutory responsibilities under both the Resource Management and Local Government Acts.

WCC is a key owner, provider, and maintainer of infrastructure and recreational facilities within the Coastal Marine Area (CMA). The PNRP will increase the regulatory burden to WCC, significantly increasing the cost of providing infrastructure, structures and activities in the CMA. This will impact WCC's ability to continue to provide and operate infrastructure and recreational facilities in the CMA.

The PNRP makes a number of activities that are either required for urban development or would be an expected part of the urban environment non-complying activities, with a policy framework that focuses

solely on adverse effects. In order to ensure integrated resource management the benefits to the region of the ongoing operation and provision of new urban environments should be recognised. The location of Mean High Water Springs (MHWS) is an important factor in determining whether the Regional or District Plan applies. Within the urban environment this is particularly important as there are a large number of structures and activities that cross the MHWS boundary. The PNRP identifies large areas of the urban coastal environment as sites of significance but does not include accurate information as to the location of MHWS. WCC considers that within the urban coastal environment and any sites of significance the MHWS boundary should be clearly shown.

The vibrancy and vitality of the waterfront areas rely on a range of activities occurring within the CMA adjacent to the urban area. The PNRP clearly manages structures in the CMA but does not appear to have provisions that manage and control the use and change of use in the coastal marine area. WCC submits that the PRNP should contain policies and rules that provide for the use and change of use within the CMA.

Climate Change is likely to have a significant impact on the ongoing protection, maintenance, upgrade and provision of structures in the CMA. Decisions about how best to continue to provide infrastructure and protect assets in the CMA will need to be made. These decisions may require balancing the potential effects of climate change, heritage values and the need to protect existing infrastructure and assets. The current provisions deal with the issues of climate change, seawalls and heritage separately with little or no recognition of how they are interrelated. For example seawalls may or may not be the best form of protecting coastal land in different areas. WCC is currently undertaking a scientific assessment to assist in decisions about future coastal protection. WCC considers that the Plan should provide for a flexible approach and that these issues will be balanced and considered collectively.

### ***Decision Requested***

2.1.1 Include a new policy (or similar) in Section 4.2 Beneficial use and development:

Recognise the contribution existing urban areas, identified urban growth areas and infrastructure make to the social, economic and cultural wellbeing of people and communities and provide for their ongoing use and development.

2.1.2 Define the location of MHWS in relation to all listed sites of significance and within the urban coastal environment.

2.1.3 Amend the Plan to include provisions that manage and control the use of buildings and structures and changes of use in the CMA.

2.1.4 Amend the Plan to provide better policy integration across issues such as heritage, seawalls, infrastructure provision, and the effects of climate change.

## 2.2 Non Complying Activity status and Policy approach of 'avoid adverse effects'

The PNRP adopts a 'one size fits all' approach to some activities regardless of the location of that activity within the Region or within different environments; and uses the non-complying activity status for activities or structures that are often necessary for urban development. In many instances the policy framework seeks to either 'avoid' an activity or location or 'avoid adverse effects' of an activity.

The PNRP makes a number of activities that would normally be anticipated within the urban environment non-complying activities. When the non-complying activity status is combined with a policy framework that seeks to 'avoid adverse effects' those activities are going to be difficult if not impossible to establish. This could adversely affect WCC's economic growth objectives and the continued functioning and operation of the urban environment.

Where activities can be reasonably expected and anticipated (e.g. the piping of streams in an urban development area) then a discretionary unrestricted activity status, rather than non-complying activity status is more appropriate.

WCC believes that recent case law (i.e., King Salmon Case) has interpreted the use of 'avoid' in policies to mean that **all** adverse effects must be 'avoided'. There is concern that this judgement has overturned the 'balancing' approach that RMA decisions makers have commonly taken and that where the term 'avoid' is used it is a bottom line. Where activities are a prerequisite for urban growth or where adverse effects on habitats and ecosystems can be expected, but might not be able to be completely avoided, the threshold adopted by the PNRP maybe too high.

### ***Decision requested***

2.2.1 Review the use of the non-complying activity status where activities, structures and infrastructure are an expected part of the environment and in areas that have been identified by territorial authorities as urban development areas.

2.2.2 Remove the use of 'avoid' in the policies.

2.2.3 Any other changes necessary to address WCC's concerns

## 2.3 Climate Change

Much of Wellington's coastal development is at risk from sea level rise and climate change has the potential to increase the risk of adverse effects from natural hazards. WCC will need to address how it manages its infrastructure, operations and facilities in the coastal marine area to improve the City's

resilience, as well as how it plans for existing and future development at risk from sea level rise. In addition, WCC will need to consider and manage the expectations of the community in relation to the protection and maintenance of the wider environment from the effects of climate change. Climate change adaption will be fundamental to all aspects of Council's operations and asset management. All available options including accommodating change, enhancing natural or engineered defences or retreating from the coast will need to be considered. The ability to adapt and prepare for the impacts of climate change and to safeguard the community, environment and economy is important in all aspects of the use and development within the coastal marine area and the beds of lakes and rivers.

The PNRP requires that 'particular regard' (Policy 29) be given to the potential for climate change to cause or exacerbate natural hazards and sea level rise. While the principle of this policy is supported it is considered that the use of the words 'particular regard' does not provide adequate weight to the issue of climate change. In addition, it is unclear how applications that will improve Wellington City's resilience to climate change (either in the short or long term) will be assessed. WCC is concerned that the need to maintain or upgrade structures to avoid or reduce the effects of climate change will not be given appropriate weight. This is of particular concern when the policy approach to seawalls is that they should be 'avoided', and the policy approach to the demolition of heritage structures is that it is only appropriate after they have been damaged by a natural hazard.

WCC considers that the issue of climate change adaption and the need to be resilient are important considerations for all aspects of the use, maintenance and upgrading of structures that protect infrastructure and facilities in the coastal marine area and beds of lakes and rivers.

***Decision requested***

- 2.3.1 Amend Policy 29 to provide stronger wording for the recognition of the potential for climate change to exacerbate natural hazards.
- 2.3.2 Amend the Plan to make climate change adaption and resilience an important consideration in all parts of the policy framework.
- 2.3.3 Clarify how the policy approach to seawalls and heritage structures will be considered when the primary purpose of undertaking an activity is to improve WCC's resilience to the effects of climate change. For example in some cases removing existing seawalls and relying on developing a dune system may be the best defence approach, where in others repairing or constructing new seawalls may be appropriate. The policy should be flexible and support the ability of territorial authorities to make optimal decisions based on their merits.

## 2.4 Indigenous Biodiversity

The recognition and protection of indigenous biodiversity is supported by WCC. WCC works to actively build the City's natural capital within the urban environment. Indigenous biodiversity is part of our local economy and WCC is committed to working collaboratively and sharing knowledge to protect and enhance our City's biodiversity.

### *Decision requested*

- 2.4.1 Support the provisions of the Plan that recognise and protect indigenous biodiversity, subject to the specific comments and amendments sought in Sections 2 and 3 of this submission.

## 3. Specific Comments - Policy and Rule Framework

### 3.1 Urban Infrastructure and Water Sensitive Urban Design (Policies 8, 73 and Method 15)

WCC supports the inclusion of policies and methods that:

- achieve better environmental outcomes for urban infrastructure;
- that encourage and promote water sensitive urban design (WSUD);
- provide opportunities to integrate the natural environment into urban areas

WCC supports and encourages the use of WSUD to minimise the adverse effects of the quality and quantity of stormwater. However, Wellington's topography and soil type does not always make it possible in new development. WCC's wishes to encourage WSUD and make it best practice, however any policy approach has to recognise that WSUD may not always be possible.

### *Decision requested*

- 3.1.1 Retain Policies 8 and Method 15.

- 3.1.2 Amend Policy P73 to state:

The adverse effects of stormwater quantity and quality shall be minimised including by:

(a)....

(b)...

- (c) Implementing water sensitive urban design in new subdivisions and development (unless it can be demonstrated that it is not appropriate due to topography or soil type)

Or wording to similar effect

### 3.2 Definition of Regionally Significant Infrastructure

The Plan recognises and provides for regionally significant infrastructure however there is no recognition of the importance of roads that aren't part of the Strategic Transport Network (i.e. the

majority of WCC's roads). The continued operation of the road network is critical to the safe and efficient movement of people and goods. Many of WCC's roads are located close to the coast and their maintenance and upgrade will require work within the CM. It is important that the maintenance and upgrade of the road asset is appropriately provided for.

***Decision Requested***

- 3.2.1 Amend the definition of Regionally Significant Infrastructure to include all roads; or
- 3.2.2 Ensure that the objectives and policies recognise and provide for the local roading network, in a similar way as they provide for Regionally Significant Infrastructure.

**3.3 Minimising Adverse effects (Policy 4)**

General Policy 4 sets out what is required to satisfactorily 'minimise' adverse effects and requires that adverse effects of an activity be 'reduced to the smallest amount practicable'. The policy lists a number of matters that all must be met (as they are connected with an 'and') before something can be regarded as being satisfactorily 'minimised'.

Matter (b) of the policy requires that activities have to be located 'away' from scheduled sites, but it is unclear what 'away' from means and how this will be implemented. The policy implies that it is not only the sites of significance that are important but also the area surrounding them as well. This has the effect of extending the scheduled sites, but provides no certainty as to the extent that this area may cover.

This policy is potentially onerous and does not recognise the location and operational needs of infrastructure.

***Decision requested***

- 3.3.1 Amend Policy 4 to state:  
Where minimisation of adverse effects is required by policies in this plan.....to the smallest amount reasonably practicable and shall include giving consideration to:...
- 3.3.2 Delete matter (b)

**3.4 High Hazard Areas (Policy 27 and definition of High Hazard Areas)**

High hazard areas are defined as 'all areas in the coastal marine area and the beds of lakes and rivers'. Policy 27 requires the use and development in high hazard areas to be avoided, which is a very high threshold. The policy provides a list of exemptions which are joined with an 'and'. Consequently, all the matters in the exemptions list must be met before an activity is appropriate.

This policy has the potential to unnecessarily constrain and restrict activities necessary for the maintenance and upgrade of the road asset and coastal structures. These activities and structures are often essential to the functioning of the urban environment.

***Decision requested***

- 3.4.1 Reconsider the definition of the high hazard areas so that it is based on an appropriate assessment of actual hazard; exclude small waterways which are not high risk.
- 3.4.2 Clarify the circumstances in which a risk assessment is required with a resource consent application.
- 3.4.3 Ensure that where a risk assessment is required the scope of any assessment is commensurate to the scale of the proposed activity.

**3.5 Hazard mitigation measures (Policy 28)**

Policy requires that hard engineering mitigation and protection methods be avoided and outlines a number of exceptions where 'avoidance' is not necessary. Avoid is a high threshold and the exceptions do not adequately recognise the benefits of hard engineering in certain circumstances. Hard engineering structures are often the only reasonable and practical option to protect roads from stream erosion.

It is unclear what policy approach would apply to an application for 'hard engineering' if you fall outside the scope of this policy (i.e. meet one of the exceptions listed in the policy). The policy does not adequately recognise the benefits of hard engineering in a range of circumstances.

***Decision requested***

- 3.5.1 Amend Policy 28 or include a new policy that recognises the benefits of hard engineering in protecting infrastructure and development.

**3.6 Seawalls (Policy 139, Rules 165 and 166)**

WCC acknowledges the changes made to the seawalls policy as a result of submissions on the draft Natural Resources Plan. However the policies and rules for the upgrade and maintenance of existing seawall are considered onerous.

Provision should be made for seawalls to be extended seaward within the controlled activity rule. In addition, the coastal management general conditions that relate to the depth of disturbance and discharge of sediment may be unrealistic for work on seawalls.



***Decision requested***

3.6.1 Amend Policy 139 to:

- recognise that seawalls might be the only practical option to protect important community assets;  
and
- explicitly reference roads.

3.6.2 Amend the definition of 'soft engineering' to include a broader range of engineering and non-engineered options that have lesser environmental impacts.

3.6.3 Include a policy that recognises the benefits of existing seawalls and provides for their alteration, addition, replacement (and any associated occupation of the seabed).

3.6.4 Amend the coastal management general conditions that relate to the depth of disturbance and discharge of sediment.

3.6.5 Insert a definition of seawall.

**3.7 Piping of Streams (Rule 127 and Policies 102, and Policies 40, 41 and 42)**

The PNRP makes the piping of streams a non-complying activity. Special housing areas and areas that have been through a process under the Local Government Act are areas that have been excluded from Policy 102.

It is accepted that a resource consent should be required for the piping of a stream. However the approach adopted by the PNRP is a 'one size fits all' approach that does not recognise the difference between catchments, or streams or differences within a TA's boundaries or across the region. In addition it does not recognise existing areas that have been identified for urban growth. While some streams have been identified as sites of significance to indigenous biodiversity (migratory fish and threatened fish habitat), the activity status for the piping of streams compared to another stream that has not been identified is the same.

A more balanced approach would be to identify the priority streams in which piping is to be avoided (based on a range of criteria) and other areas where piping may be acceptable. A hierarchy of rules and policies would then be possible to differentiate between different streams and provide a degree of guidance as to where the piping of streams may be appropriate and areas where it is not. Such an approach could also identify where the values of ephemeral streams maybe important and where they are less so.

It is not clear what policy approach applies to the piping of streams in structure plan areas (e.g. Lincolnshire Development Area), special housing areas (Lincolnshire-Woodridge, and Lower Stebbings), and areas identified through a Local Government Act process (e.g. Northern Growth Management Framework). Under the current approach a resource consent for a non-complying activity is still required, but there are no directly relevant policies that apply. An alternate policy framework for these areas identified as urban growth areas in the district plan should be provided.

A hierarchy of rules and policies that recognise the values of different streams and the benefits of urban development is required. Such an approach will ensure a balanced assessment of the adverse effects and benefits of the piping of streams, and provide for integrated resource management.

#### ***Decision Requested***

- 3.7.1 Undertake an assessment of stream systems within identified growth areas (in conjunction with WCC) to identify the values and level of modification of streams. This information should then be used to inform the development of rules and policies that recognise the values of streams, and identify where and when the reclamation of stream beds may be appropriate and where it is not appropriate.

#### **3.8 Heritage (Policies 46 and 47)**

WCC supports the inclusion of Heritage items and policies that recognise and provide for the ongoing protection and management of items with significant heritage value. A policy framework for heritage needs to consider the effects of an activity on an item's heritage value, recognise the need to be resilient, and allow heritage items to continue to be used and have a functional purpose.

Policy 46 states that *'more than minor adverse effects shall be avoided, remedied or mitigated by managing activities'* and then lists a range of matters that are required to be met. The individual matters are linked with an 'and', which has the effect of requiring each of the individual matters to be met for an activity to 'meet' (and therefore be consistent with) the policy. This approach does not allow an activity or the effect of an activity on heritage value to be determined on its merits. Rather it predetermines that an activity is only suitable if an activity meets all these matters.

While all the matters listed in Policy 46 are supported, for an activity to meet each individual matter is considered unrealistic, and places an unreasonable burden on landowners. The matters are more appropriately joined with a semi-colon.

Policy 47 addresses the circumstances where demolition may be appropriate. Again the individual matters in the policy are linked with an 'and' which will require all matters to be met before demolition is deemed to be appropriate. WCC considers that each of these matters has merits on its own and should be able to be considered as the sole reason for demolition.

Policy 47 contains a 'Note' requiring the consideration of all the matters listed in Policy 46 when considering an application for demolition. When demolishing a structure the heritage value is lost, therefore none of the matters listed in Policy 46 will be met. Referencing Policy 46 in Policy 47 is therefore redundant.

Oriental Bay Seawall, Evans Bay Seawall and Aberdeen Quay are listed as Heritage Items in Schedule E1. These are infrastructure items that are essential parts of WCC's roading and coastal protection network. Their location adjoining the CMA will mean that they are increasingly likely to be affected by climate change weather related events in the near future. Their ongoing maintenance, repair and/or replacement are important to the continued functioning of Wellington's urban environment. The heritage reports prepared by GW variously describe the structures as highly modified and not particularly rare or old.

Many of the values associated with the seawalls such as the walls 'townscape values' are values associated with the portion of the wall above MHWS. These values have been recognised by Wellington City Council through their listing in the District Plan. On this basis WCC considers that the decision to list these seawalls and the policy to support their retention, modification or replacement should remain with WCC not GW.

***Decision Requested***

3.8.1 Amend Policy 46 to remove the connecting 'ands' between matters (a) to (h). Replace with semi-colons. Add additional wording to the policy that ensures all matters are given appropriate and due consideration and must be considered and assessed as part of any application, but that it may not be necessary to meet all matters for a development to be appropriate.

3.8.2 Amend Policy 47 to remove the and/or at the end of each matter and replace with semi-colon's and remove the 'Note' at the end of the policy 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:*

- (a) is substantially damaged by fire or natural hazard; ~~and/or~~*
- (b) poses a significant risk to human safety; ~~and~~*
- (c) it is not reasonably practicable to repair it.*

***Note***

~~*Applications for demolition should consider any relevant matters of Policy P46<sup>2</sup>*~~

3.8.3 Remove Oriental Bay, Evans Bay seawalls and Aberdeen Quay from Schedule E1 – historic heritage structures.

3.8.4 Provide an additional policy that recognises the need to maintain, upgrade or improve heritage infrastructure items to be resilient and adapt to the weather related effects of climate change and sea level rise.

### 3.9 Indigenous Biodiversity – Birds (Policies 4, 36, 40 and 40 and Schedule F2c)

The Regional Plan identifies large areas of 'sites of significance to birds' (in the CMA). For Wellington City a large portion of these areas occur along Wellingtons (modified) urban coastline. In these areas an assessment of the effects on birds is required. The plan provides no guidance as to what effects are to be avoided or how the effects will be assessed.

WCC is not opposed to the identification of Sites of Significance to birds where these areas can be demonstrated to be significant. The current extent of the areas identified, and the fact that no portion of the undeveloped south or west coast of Wellington is identified raises issues with the methodology used to identify the areas.

The policy framework for considering the effects on birds within identified sites of significance is '*protect and restore ecosystems and habitats*'. In determining how to protect and restore ecosystems, in the first instance, the ecosystem or habitat must be '*avoided*'. If the ecosystem or habitat cannot be avoided then the adverse effects of the activity will be managed by avoiding, remedying, mitigating or offsetting more than minor adverse effects. The policy goes on to say that an activity is inappropriate where there are more than minor adverse effects on indigenous biodiversity values that cannot be avoided, remedied, mitigated or offset.

Policy 4 states that minimising adverse effects will mean locating activities away from identified areas and timing the activity to avoid the area when receiving environments are more sensitive.

WCC agrees that the effects on birds should be considered. However, having to avoid a location and/or avoid, remedy, mitigate or offset all '*more than minor adverse effects*' is unachievable in the urban environment where infrastructure and existing recreational activities are located. The proposed rule and policy framework will make it difficult and expensive to undertake work in the CMA despite there being community expectation that WCC will continue to provide infrastructure and recreational facilities in this area.

Within WCC's harbour and south coast urban area the adverse effects on bird habitat must be '*avoided, remedied, mitigated or offset*', while in WCC's rural south and west coast the effects on bird habitat must only be '*minimised*'. The current approach means key bird areas (breeding and nesting) are under protected, while areas where birds may have only a transitory presence (and are highly urbanised) must meet a very high policy threshold.

The current policy framework would result in a situation where, in the first instance, activities around Evans Bay marina (identified under Schedule F2) should be 'avoided' (Policy 41) and the ecosystem should be 'protected or restored' (Policy 40). If that area cannot be 'avoided', effects on bird habitat are to be 'avoided, remedied, mitigated or offset'. Policy 36, on the other hand only requires that the adverse effects of works carried out in other areas along the South Coast (not identified in Schedule F2 yet known to contain threatened species such as banded dotterel) shall only be minimised.

The policy framework adopts a more restrictive approach to the effects on birds in areas where the continued functioning of infrastructure is essential and development can reasonably be expected. It adopts a more permissive policy approach to birds in the natural south and west coast and area of little or no development.

The presence of birds has occurred *despite* urban development occurring in these areas. In WCC's view the Regional Council has not demonstrated that there is a resource management issue that justifies the proposed restrictive policy approach.

WCC believes that bird habitats (significant or not) within an urban environment require a different policy and management approach to bird habitats in an unmodified or more natural environment. The Regional Plan should recognise and provide for these differences within its rule and policy framework.

#### ***Decision requested***

- 3.9.1 Review all identified Sites of Significance to Birds along the urban and south coast portion of WCC's coastline (Wellington Harbour and south coast) in Schedule F2c, in consultation with Wellington City Council.
- 3.9.2 Include the following new area of WCC's south coast in Schedule F2c:
  - Map A (attached) – NZ Banded Dotterel breeding site
- 3.9.3 Include a new policy framework (or similar) for the management of Wellington Harbour and South Coast Indigenous Biodiversity Values – Birds, as follows:

Recognise the contribution that Wellington Harbour and south coast makes to the breeding, roosting, feeding and migration of birds.

Ensure that new development, activities or structures along the urban coastline (within the coastal marine area) avoid, where possible, more than minor adverse effects on bird habitats.

Ensure that new development, activities and structures are designed, constructed, and undertaken in a way that enhances bird habitat, where appropriate.

3.9.4 Review Policy 36 to ensure that if significant habitats are identified at a later date, it can trigger a more restrictive policy approach.

3.9.5 Any changes to other areas of the Region or inclusion of other urban harbour areas that have similar issues.

### **3.10 Indigenous Biodiversity – Freshwater (Schedule F1) Policies 33, 40 and 41**

WCC supports the identification of specific streams with indigenous biodiversity value but seeks clarification around the mapping of these areas; how the policy framework will apply to some of these areas; and how structures and activities essential to the functioning of the urban environment (including roads) will be assessed.

As currently mapped a number of streams identified in Schedule F1 within the Wellington urban area are piped e.g. Kaiwharawhara Stream. It appears that Policies 40 and 41 will apply to the piped portion of the streams. Policy 40 requires that identified ecosystems values shall be 'protected and restored' and Policy 41 requires that if the activity must locate within that habitat/ecosystem adverse effects must be avoided, remedied, mitigated or offset.

Rule 112 allows the maintenance, and repair, replacement and use of an existing structure within the bed of a stream. However, if some aspect of the permitted activity conditions or the activity itself is not permitted a resource consent for a discretionary unrestricted activity will be required along with assessment against Policies 40 and 41.

WCC actively works to improve freshwater ecosystems and habitats within a number of urban catchments, but recognises 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.

Policy 33 requires that the 'more than minor adverse effects of activities on species' shall be avoided.

#### ***Decision requested***

3.10.1 Clarify how the policy approach of *'protect and restore'* and *'avoid, remedy, mitigate or offset'* applies to piped sections of Schedule F1 streams.

3.10.2 Amend the policy framework to acknowledge the difference between piped and natural streams in Schedule F1.

3.10.3 Amend Policies 33, 40 and 41 or include new policies that address the issue of where there may be significant adverse effects as a result of essential works for the maintenance of infrastructure assets (including roads).

### 3.11 Indigenous Biodiversity – Inanga Spawning

WCC supports the identification and recognition of Inanga spawning sites.

#### *Decision requested*

3.11.1 Retain the identification of Inanga spawning sites.

### 3.12 Sites of Significance to Mana Whenua (Rule 161 and 162 and Policy 44, 45)

WCC supports the identification of Sites of Significance to Mana Whenua but requests a number of changes.

A number of these sites are adjacent to WCC's urban coastline, and are within highly modified urban environments. Activities that would otherwise be permitted (e.g. temporary activities or replacement structures) become restricted discretionary activities. New structures and additions and alterations to existing structures within sites of significance to mana whenua become non-complying activities.

Sites of significant mana whenua value have been identified around our urban and southern coastline. Policy 44 requires that sites with significant mana whenua values shall be '*protected and restored*'.

Te Aro Pa Mana Whenua Site is a highly modified (artificial) urban coastal feature which provides a range of active and passive recreational opportunities. The lagoon makes a significant contribution to the vibrancy and vitality of the waterfront and its ongoing use may require the development of new or replacement structures. Such structures and activities are an expected and anticipated part of this urban environment.

WCC understands the need to consider effects on mana whenua values. However, WCC considers that non-complying activity status is inappropriate, given the highly modified urban environment of this location. Discretionary unrestricted activity status still provides the ability to consider the effects of the activity and would be more appropriate.

#### *Decision requested*

3.12.1 Change the activity status of new structures, additions or alterations to structures in the Te Aro Pa (Site of Significance to Mana Whenua identified in Schedule C) and any other site of significance to Mana Whenua within the urban area, from non-complying activities to discretionary unrestricted activities (Rules 161 and 162).

3.12.2 Clarify how a policy framework of 'protect and restore' will work within a modified /artificial urban environment.

3.12.3 Amend the policy (or include a new policy) to recognise that some sites of significance to Mana Whenua are within a modified/artificial urban environment.

### 3.13 Lambton Harbour (Policy 142)

The PNRP provides a specific policy for Lambton Harbour. The provision of a specific policy and the matters covered in the policy are supported, however changes are sought to the structure of the policy.

As currently worded any '*use or development*' of the Lambton Harbour Area '*may be appropriate*' if a range of matters listed in the policy are met. The matters are then listed and each matter is joined by an '*and*'. The use of '*and*' to join each of the individual matters has the effect of requiring any new development to meet all of the matters listed in the policy to be considered '*appropriate*'. As a result, the policy predetermines that the only developments that are suitable are the ones that meet all the listed matters and precludes the consideration of developments that may be suitable but not meet all the listed matters.

WCC agrees that any new development should meet as many of these matters as possible. However, there will be circumstances where a development may not be able to, or it may not be appropriate for a development to meet all of these listed matters. In this case such developments should be able to be considered and assessed on their merits.

#### ***Decision Requested***

3.13.1 Amend Policy P142 to remove the 'and' between each of matters (a) to (j) and replace with semi-colons.

## 4. Clarifications and queries

The following portion of the submission seeks clarification on how specific rules or definitions work or seeks amendments to the rules of a technical nature.

### 4.1 Agrichemicals (Rule 36 and 38)

Rule 36 includes a reference to a 'residential area' for agrichemical use. Clarification is sought as to what area this will practically apply to. Is this land that is zoned 'residential' in the District Plan or does it incorporate the entire urban area? A map or better description of what is meant by 'residential area' is required to determine whether the rule will apply to reserves in urban areas.



Rule 38 requires that agrichemical discharge that is not permitted by Rules 36 and 37 are a discretionary unrestricted activity. The draft Natural Resources Plan made this activity a restricted discretionary activity with a clear list of matters for discretion, an approach that provided more certainty and direction to those using agrichemicals. WCC considers that a restricted discretionary activity status is more appropriate for agrichemical use that is not permitted.

***Decision requested***

4.1.1 Map the areas where Rule 36 applies or define the residential area to which the rule applies.

4.1.2 Agrichemical use that is not permitted should be restricted discretionary activity.

**4.2 Definition of Erosion Prone Land (and Rule 100)**

The definition of erosion prone land is unclear. The definition does not state how land slope is calculated, whether the slope is averaged and if so over what area. From the definition it is not possible to quickly and easily determine if your property is erosion prone and therefore whether Rule 100 applies.

***Decision requested***

4.2.1 Map Erosion prone areas to determine the areas to which rule 100 applies; or

4.2.2 Amend the definition to show how a slope of 20 degrees is determined.

**4.3 Definition of Property**

Many of the earthworks rules require the discharge to not create effects outside of the 'property'. Property is defined as 'any contiguous area of land held in one ownership'. It is unclear how these rules would be applied to locations such as rivers.

***Decision requested***

4.3.1 Clarify how the air quality rules apply to areas that are not land, such as rivers.

**4.4 Definition of Reclamation**

The definition of reclamation is confined to reclamation in the CMA. The plan contains many other policies and rules that relate to reclamation on the beds of lakes and rivers. Clarity is required about what constitutes reclamation in relation to the beds of lakes and rivers.

***Decision requested***

4.4.1 Amend the definition of reclamation to clarify its meaning in relation to the beds of lakes and rivers.

#### **4.5 Definitions for types of Water Course (and all provisions relating to watercourses)**

It is appropriate that watercourses are regulated differently depending on their flows and naturalness. However the definitions are currently confusing and incomplete and may result in the over-regulation of some water courses. Artificial water courses and ephemeral flow paths are not 'rivers' under the RMA and should not be subject to provisions relating to River beds (Section 13).

##### ***Decision requested***

4.5.1 Insert new definitions to clearly define the different types of water courses including:

- continuous/permanent water course
- Intermittent water course
- Drains
- Ephemeral flow path
- Surface water bodies

4.5.2 Ensure that rules that apply to the relevant water courses are appropriate for the type of water course.

#### **4.6 Abrasive Blasting (Rules 25 and 26)**

Rules 25 and 26 permit abrasive blasting subject to conditions. Abrasive blasting either within or outside an enclosed booth is not permitted if it involves blasting lead based paint. There are effective measures that can be used to ensure that lead based paint is not discharged into the environment. Where the appropriate measures are used to avoid the discharge of lead based paint into the environment, it should be a permitted activity.

##### ***Decision requested***

4.6.1 Amend the rules to permit the blasting of lead based paint when the activity is managed to prevent the discharge of lead into the environment.

#### **4.7 Stormwater from the roading network (Rules 48-53)**

It is unclear whether Rules 48-53 are intended to apply to the stormwater run-off from roads.

The single permitted stormwater rule (Rule 48) relates to the discharge of stormwater from an individual property. Roads are contiguous and in Council ownership ownership and therefore the entire road network within the district could be considered one property. However, WCC understands that this rule is not intended to relate to the roading network.

If the individual property rules do not apply to the road network it is unclear what rules would apply. WCC considers that requiring a consent for the discharge of stormwater from roads would be unduly onerous.

***Decision requested***

- 4.7.1 Clarify how Rules 48-53 relate to stormwater runoff from the roading network and ensure that a resource consent for stormwater run-off is not required.

**4.8 Redistribution of River Bed Material (Definitions and Rule 119)**

Rule 119 permits the clearing of flood debris and (river) beach re-contouring. WCC supports this activity being permitted subject to reasonable conditions.

'Flood debris' and 'river beach' (as it relates to river beaches) are currently not defined. Interpretation of the rule could be improved if definitions were provided for these activities. Beach re-contouring is defined but should include all bed material not just gravel.

Condition (f) of Rule 119 requires that operation to occur only on those parts of the river not covered by water at the time of the work. While this is generally possible often a small amount of work is required in the flow channel to ensure effective re-contouring and pre-empting future obstructions.

Condition (g) of Rule 119 appears to relate to the depth of excavation, but the wording is not clear.

***Decision requested***

- 4.8.1 Include a definition of 'flood debris' (that includes the wide range of materials that can build up and cause blockage during a flood)
- 4.8.2 Include a definition of 'river beach' (that includes material build up around bridge piers)
- 4.8.3 Amend the definition of 'beach recontouring' to include all river bed materials.
- 4.8.4 Amend Rule 119 condition (f) to permit a reasonable amount of recontouring in the flow channel.
- 4.8.5 Amend Rule 119 (g) to clarify it relates to the depth of excavation, if this is the intention.

**4.9 Definition of Zone of reasonable mixing (and Policy 71)**

The definition of 'zone of reasonable mixing' states that for consented and permitted activities the zone of reasonable mixing will be determined on a case by case basis in accordance with Policy 71. Policy 71 outlines a number of factors that must be taken in account when determining the zone of

reasonable mixing. The definition and Policy provide no certainty to activities involving discharges to coastal water and it is not possible to determine if a particular activity will be permitted. The current provisions require Greater Wellington to exercise discretion in determining what activities are permitted and which are not and this is potentially ultra vires.

***Decision requested***

- 4.9.1 Amend the definition of the 'zone of reasonable mixing' (in relation to coastal water) to be certain and not require the exercise of discretion.

**4.10 New Structures (Rule 117)**

Rule 117 lists specific structures that are anticipated and therefore permitted in the beds of lakes and rivers. Erosion protection structures are not mentioned. Erosion protection structures are common and necessary for the continued functioning of infrastructure, roads and other Council assets.

***Decision requested***

- 4.10.1 Include erosion protection structures in Rule 117. Make any necessary subsequent amendments to the policies to recognise and provide for these structures.

**3.11 Temporary damming and diversion for in-stream works (Rules 112 – 118)**

Rules 112 – 118 permit a range of instream works related to structures. When these works are undertaken temporary stream damming and diversion is often required to create a dry work environment. It is unclear whether any temporary damming and diversion, is covered by these (and therefore permitted) or whether the separate damming and diversion rules apply (making it a discretionary activity).

Any damming or diversion undertaken in association with Rules 112-118 would only be temporary and for the duration of the works, and as such should be permitted (subject to appropriate conditions).

***Decision requested***

- 3.11.1 Clarify whether temporary stream damming and diversion required for instream structure works (Rules 112- 118) are covered by the rules (i.e. included in 'associated' works);
- 3.11.2 If the temporary damming or diversion of water is not included, make it a permitted activity subject to appropriate conditions.

### **3.12 Beach Grooming (Rule 191)**

Rule 191 permits beach grooming on certain listed beaches subject to conditions. One of the conditions is that they must not be on an identified Site of Significance to Mana Whenua (Condition (f)). However, in some circumstances (e.g. Island Bay) the entire beach is identified as a site of significance to mana whenua. Therefore the permitted activity status is negated by the condition, which won't be met, resulting in the activity being considered a non-complying activity.

The rule is made more confusing by an associated 'Note' that says an agreement with DOC has been reached as the area is also a Marine Reserve. The note implies that beach grooming is in fact permitted however, as the area is identified as a site of significance and therefore fails condition (f), it would appear not to be permitted.

#### ***Decision requested***

3.12.1 Clarify whether beach grooming at Island Bay is a permitted activity. If not WCC submits that beach grooming at Island Bay should be permitted.

3.12.2 Ensure that there are no other places within Wellington City (or the Region) where condition (f) of Rule 191 conflicts with the primary part of the rule.

### **3.13 Motor Vehicles on the foreshore (Rule 190, 196 and 197)**

Rule 190 permits the launching of boats if there is a boat ramp and Rule 196 permits motor vehicles on the foreshore providing they are not in Sites of Significance.

Makara Estuary is listed as a 'site of significance'. Rule 196 means that launching a boat at Makara Estuary boat ramp will require a resource consent. In addition, sections of the road around the south coast (that starts at Owhiro Bay) are also within a listed site (Schedule C and Schedule F2c) making vehicles in this location on an existing road a non-complying activity.

#### ***Decision requested***

3.13.1 Clarify the relevant rule for boat launching at Makara Estuary and ensure it is a permitted activity.

3.13.2 Clarify whether Rule 196 applies to the coastal road around the south coast (starting at Owhiro Quarry).

3.13.3 Ensure that the identification of the coastal road as a site of significance to Mana Whenua does not preclude the ongoing use of the road by motor vehicles.

### 3.14 Destruction Rules (Rules 204 -205)

The construction of coastal protection structures such as revetments may constitute 'destruction', but maybe more appropriately assessed under other rules.

#### *Decision requested*

13.14.1 Clarify that coastal protection structures such as revetments are excluded from the destruction rules.

### 13.15 Improving Water Quality (Method M10)

Karori Stream is recognised as a priority site in Schedule H2, but is not listed in Method 10 Water quality investigations and remediation actions. But actions are listed for lower priority streams. The Plan should include actions (and timeframes) for water quality improvement in Karori stream under this method and acknowledging its priority status.

Karori Stream is also not covered by Method 27 as that refers to Schedule H1 water bodies.

#### *Decision requested*

3.15.1 Include actions (and timeframes) for water quality improvement in Karori stream under Method 10, acknowledging its priority status.

### 3.16 Principles for Biodiversity offsets (Schedule G)

Schedule G outlines the principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity. Point 6 states that there should be no net biodiversity loss and that biodiversity should be provided at the site. Where offsets cannot be provided at the site then they should be provided within the ecological district.

Overall the provisions are supported, however WCC requests that rather than offsets being provided at the site or in the alternative within the ecological district, consideration should first be given to providing the offset within the site, then within the catchment, then within the ecological district.

#### *Decision requested*

3.16.1 Amend Point 6 (or wording to similar effect) to say:

Any proposal for biodiversity offsets will provide measurable positive effects on biodiversity at the site, or within the catchment. Consideration will be given to offsets ~~where appropriate within the ecological district if offsets are not possible within the site or catchment, which can reasonably be expected.~~ The expected outcome is no net loss and preferable a net gain of biodiversity.



Proposed Natural Resources Plan:

Submitter:

**DW and RMC Lynch**

Submitter Number:

**S287**





**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	D. W. + RMC Lynch
Farm Name	WATTLE GROVE
Physical Address	301 HAKAKINO ROAD R.D. 10 WESTMERE, MASTERTON
Phone Number	06-3777685
Email Address	lyncliff@xtra.co.nz

Communication from GWRC: I prefer email OR ~~hard mail~~ – 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

Support: I support Wairarapa Federated Farmers submission ✓

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

Farm Type	e.g. (Sheep, Beef, Arable, Dairy, agricultural business)
Farm size (area)	250 hectares
Main Waterways	Wairarapa River
GW Soil plan or Farm Plan	<input checked="" type="radio"/> Yes <input type="radio"/> No
Environmental investments	Replant + Willow Poles. Pine Trees.
QE2 or Retirement Blocks	
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so  POSITIVE & HELPFUL, INFORMED SOLUTIONS. THIS HAS RESULTED IN A WELL PLANTED FARM.



Proposed Natural Resources Plan:

Submitter:

**Terawhiti Farming Co.**

Submitter Number:

**S288**



SUBMISSION on the proposed Natural Resources Plan for the Wellington Region

**NAME** Guy Parkinson on behalf of Terawhiti Farming Co  
**FARM NAME** Terawhiti Station  
**ADDRESS** 171 South Makara Rd, Makara, Wlgtn  
**PHONE** 04 476 4804  
**EMAIL** terawhiti@farmside.co.nz  
**Communication from GWRC:** By Email

**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.  
**Support:** I support Wairarapa Federated Farmers submission.

**FARM TYPE** Sheep,Beef,Bees,Carbon,Wind ,Tourism  
**FARM SIZE** 5000 ha  
**MAIN WATERWAYS** Karori Stream, Waiariki Stream.

**ENVIRONMENTAL INVESTMENTS** TFC has engaged P A Handford & Associates to conduct a Land Use Capability Report to determine a sustainable long term strategy in appropriate management and use of the land.

**RETIREMENT BLOCKS** 96 ha Block in lower section of Karori Stream.  
Approx 1000ha identified that will be allowed to regenerate.

**GENERAL COMMENTS** Over the past 6 years, the Directors and Manager have put in place a Plan with 3 key aspects of **SUSTAINABILTY.**

1. **PROFIT** – A diverse range of income from various land uses that are all profitable on their own but complement each other to provide better overall use of the land.
2. **ENVIRONMENT**—Shareholders have a longterm commitment to the care of the land and environment and wish to pass on a well managed block of land to future generations.The diversified use of the land helps considerably by mitigating the impact of a large scale single enterprise.
3. **SOCIAL**-- The Plan acknowledges the human needs and impacts on a large land area close to Wellington.Terawhiti provides considerable direct and indirect employment, energy, food and recreational activity to a large number of people, in a controlled manner.

Over the last 6 years TFC has taken a co-operative and supportive approach with Councils and DOC in managing the area. This has included Goat ,Possum,Stoat and weed control. Managing Public, particularly vehicle damage to soil and the fragile Coastal environment.Fencing,planting natives and managing our own and neighbours

conservation efforts.

TFC Shareholders and Management fully support the GWRC ideals of the Natural Resources Plan . But we have some concerns over some of the practicalities of meeting those goals while retaining our 3 areas of Sustainability. Hence our Submission.

## STOCK EXCLUSION

Specific Provisions that our submission relates to are :

Definition of Category Two waterbodies, > 1 metre.

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, eg crossings.

My submission is ; oppose

I seek the following changes:

Extend the time frames

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

Allow drinking points

Ensure that alternative stock water supplies are available and rules dont apply until they are.

Comments and reasons:

Due to the contour of the land eg. Streams running the length of the valleys in steep hill country. It is impossible to fence off without doing considerable earthworks and the cost would outweigh the benefits. There would be no practical way of providing water ,access and grazing to stock if waterways were fenced. Fences would be regularly destroyed during floods.

## 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

My submission is ; OPPOSE

I seek the following changes:

Natural Wetlands; amend to exclude intermittent and ephemeral waterbodies, 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 0.1 to 1.0 ha.

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

Rule 105: allow for planting introduced species for bees and 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.

Comments and reasons.

As with much of East Coast hill country, significant landcare can be achieved by planting selected Poplar and Willow species to prevent erosion, improve water quality, provide fodder and shade for livestock and out of season food source for bees.

On Terawhiti there are several areas of streambed erosion which could be controlled by pole planting and the other benefits would accrue.

At some stage in future we may wish to develop wetlands to enhance the aesthetic and conservation aspects of the property.

## 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 : 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.

Comments and reasons.

Advances in technology and efficiencies requires more and better tracks. Health and



safety legislation demands improved tracks.

## 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 100; vegetation clearance on erosion -prone land

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

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

My submission is : oppose

I seek the following changes:

Change the definition of erosion prone to increase the slope ,and exclude hand clearance ,hand or aerial spraying and roller crushing.

Change Rule 101 to controlled or restricted discretionary with clear conditions

Comments and reasons

We completely support the need to prevent erosion and to promote vegetation on such areas. Our concern is the 'Definition' of what is erosion -prone'

## FERTILIZER

Specific Provisions that my submission relates to are:

Rule 82: Application of fertilizer-permitted activity,provided

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

My Submission is : oppose

I seek the following changes:

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

Comments and reasons.

In recent years, great progress has been made on getting fert where it is needed rather than where it is wasted. It is in every farmers interest to get best value for money in Fert application so further progress will be made as technology allows. But the reality is that a very small amount will still get to waterbodies

Proposed Natural Resources Plan:

Submitter:

**Charlotte and Toby McDonald**

Submitter Number:

**S289**



**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	<i>Charlotte and Toby McDonald</i>
Farm Name	<i>Kowhai</i>
Physical Address	<i>390 Clifton Grove RD 3 Masterton</i>
Phone Number	<i>06 3727557</i>
Email Address	<i>Charlotte_McDonald@bnz.co.nz</i>

**Communication from GWRC:** *I prefer email– 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

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

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

Farm Type	<i>Eg, Sheep, Beef</i>
Farm size (area)	<i>940</i> hectares
Main Waterways	<i>Wainuioru</i>
GW Soil plan or Farm Plan	<i>Yes</i>
Environmental investments	<i>Polls on hills to avoid slippage.</i>
QE2 or Retirement Blocks	<i>Yes QE2</i>

<b>General Comments</b>	<i>Eg, if you like the partnership approach with council staff on the ground, say so</i>
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**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, eg, crossings

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

**I seek the following changes:**

Extend the timeframes, eg, 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, eg, 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?

Yes -  
Costs would be high to exclude all stock and  
Very hard to do.

Our hills would then have no water available  
to stock if all water/creeks were fenced.

### 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: 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***

*Eg, 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 (eg, 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**

*Eg, 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**

*Eg, 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**

*Eg, 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***

*Eg, 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**

*Eg, 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, eg, 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*

*Eg, confusion with different slope triggers.*

*Add a statement in about what you normally do, eg, 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 (20m2 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**

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

**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 50m3 to 100m3

- 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**

*Eg, 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**

*Eg, 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**

*Eg, 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 (eg, 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**

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

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



Proposed Natural Resources Plan:

Submitter:

**Robert Kyle**

Submitter Number:

**S290**



**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

<b>Name</b>	<i>Robert Kyle</i>
<b>Farm Name</b>	
<b>Physical Address</b>	<i>138A Te Wharau Road R.D.3 Masterton</i>
<b>Phone Number</b>	<i>(06) 3727803</i>
<b>Email Address</b>	<i>rakyle@wise.net.nz</i>

**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

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

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

<b>Farm Type</b>	<i>e.g. Sheep and Beef</i>
<b>Farm size (area)</b>	hectares
<b>Main Waterways</b>	
<b>GW Soil plan or Farm Plan</b>	Yes
<b>Environmental investments</b>	Large tracts of forestry on gorse infested land. Regular pole planting, mitigation of stream degradation, etc etc.
<b>QE2 or Retirement Blocks</b>	
<b>General Comments</b>	<i>I am a retired farmer of some 50 years experience with the next generation now farming the land. I am still closely associated via Trustee ships and therefore aware of the business implications of this Natural Resources plan relative to Wairarapa Hill country. On going through this template that has been prepared by Federated Farmers I can fully support Federated Farmers approach. At the time I retired (abt 5 years ago) from active participation in the Farming Partnership, about 23000 stock units were farmed.</i>

## 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.*

## **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**

It is recognized that staff of the WRC in Wellington are not in the position to understand the complexities associated with farming the Wairarapa Hill Country. Historically, local staff with local knowledge have contributed substantially to the success of our venture because of their practical hands on approach.

Proposed Natural Resources Plan:

Submitter:

**Andrew Patrick**

Submitter Number:

**S292**



#1530914

S292

8:40am.

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

RECEIVED

Name	Andrew Patrick
Farm Name	Pa Puke, Plus Lease Blocks
Physical Address	102 Buchanan Road RD4 Masterton 5884
Phone Number	0273068328
Email Address	a.patrick.21@gmail.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

Support: I support Wairarapa Federated Farmers submission

## INTRODUCTION – Key Points about farm/business

Farm Type	e.g. Sheep, <u>Beef</u> Arable, <u>Dairy</u> , agricultural business
Farm size (area)	670 hectares
Main Waterways	Kaurarau Stream
GW Soil plan or Farm Plan	Yes No Pa Puke Farm Plan
Environmental investments	Large sections of waterways fenced off from all stock
QE2 or Retirement Blocks	3 soil conservation retirements consisting of around 20 hectares. Pole Planting
General Comments	e.g. if you like the partnership approach with council staff on the ground, say so have a good working relationship with land management & flood protection teams.

## 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.*

## **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.*

## 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**



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

Or email: regionalplan@gw.govt.nz

Your details

Full name: Andrew Patrick behalf of Bruce Patrick  
 Organisation name: BB & CM Patrick  
 (if applicable)  
 Address for Service: Buchanan Rd RD4 Masterton.

Telephone no's: Work: Home: 063727890 Cell:  
 Contact person: Andrew Patrick  
 Address and telephone no (if different from above): 0273068328.

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): Whole 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: →	I support the submission of the Weirarapa 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:

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): →	

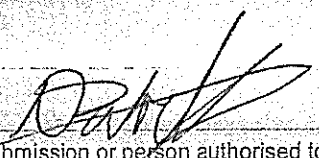
If you have more submissions you wish to make, please find more boxes at the bottom of this document

**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: 14/10/15

[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**

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.

#1530378

**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

GREATER WELLINGTON REGIONAL COUNCIL

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: lrvoll@xtra.co.nz

Trade competition

<sup>yes</sup> 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: \_\_\_\_\_



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

20/10/2015

[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.

Wairarapa Water User's Inc. Society,  
c/- Leo Vollebregt,  
235 Pahautea Road,  
RD1,  
Featherston.  
21<sup>st</sup> October 2015

Wellington Regional Council  
Wellington

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>Groundwater 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 <b>category A groundwater</b> or <b>category C groundwater</b> 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 <b>category A groundwater</b> or <b>category C groundwater</b> 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>groundwater directly connected to surface water regionally significant infrastructure*</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>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>effects to this take at low flows indicating poor relation of the takes to the river.</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>Groundwater 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>Unused 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 groundwater directly connected to surface water</p>	<p>improved over time to meet that objective.</p> <p>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>nitrate in groundwater should not exceed human drinking water standards, i.e. 11.3</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) good management practice, 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.</p> <p>(a) to (e) are good means to the objective.</p> <p>There needs to be the possibility of storage in stream</p>	<p>the efficiency of allocation and use of water is improved and maximised the amount is increased through time, including by means of: (a) to (e) are good means to the objective. Add (f) enabling storage within the bed of a river</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>whaitua</b> or <b>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) consents will run for a period of 25 years</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 <i>whaitua</i> or sub-catchment.</p>		
<p>Policy P7: Uses of and water (b) and (h)</p>	<p>(b) treatment, dilution and disposal of wastewater and stormwater, and</p> <p>(h) irrigation and stock water, and</p>	<p>Amend</p> <p>support</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> <p>(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and</p> <p>(b) the take and use of water does not exceed allocation amounts provided for in the Plan, and</p> <p>(c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	<p>amend</p>	<p>The connectivity between various ground water takes has not been verified and amongst the users there is significant doubt.</p> <p>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>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 <b>whaitua</b> chapters (chapters 7-</p>	<p>Amend</p>	<p>Category A groundwater which shall be required to reduce take by 50% of the amount consented</p>

<p>flows and water levels</p> <p>(c)</p>	<p>11), with the exception that water is available below <b>minimum flows</b>:</p> <p>(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>Policy P115: Authorising takes below minimum flows and lake levels</p> <p>(d) and (c) i</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>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</p> <p>(i) the water shall only be available five days (120 hours) after <b>minimum flow</b> cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p>	<p>As above</p> <p>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>oppose</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: Reallocating 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 R.R1, WH.R1 and K.R1 in the <i>whaitua</i> 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 <u>renewal of consent to meet the criteria</u>"</p>

	<p>operative to meet the criteria, and</p>		
<p>Policy P119: unused water</p>	<p>Unused water allocated to an existing resource consent may be re-allocated to the same user when the existing resource consent is replaced, or the abstraction rate is changed, only if the consent holder can demonstrate how the unused water 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>	<p>Support</p>	<p>Retain</p>
<p>Policy P120: taking water for storage</p>	<p>The taking of water for storage outside a river bed at flows above the median flow is appropriate provided Policy P117 is satisfied.</p>	<p>Support</p>	<p>Retain</p>
<p>Policy P128: transfer of resource consents</p>	<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>	<p>Support</p>	<p>retain</p>



	<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><b>Rules</b></p> <p>Rule R135: General rule for taking, use, damming and diverting water – discretionary activity</p> <p>Rule R137: Farm dairy washdown</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 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>amend</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>id milk-cooling ater – permitted stivity )</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 – ontrolled 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 <u>permitted</u> activity</p>
<p>Rule R144: ransferring water ermits – restricted iscretionary ctivity</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>Other methods</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 <u>economic values</u> 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??	
<p><u>tuamahanga</u> <u>Whaitua</u></p> <p>Policy R.P3: Cumulative effects on river reaches of allocating water</p>	<p>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.</p>	amend	Important that the effects are measured, not just modelled.	Insert after - adverse effects – <u>that are measured</u> on aquatic ...
<p><u>Figures 7.3 – 7.8</u></p>	<p>Water allocation amounts</p>	Oppose	<p>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</p> <p>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.</p>	<p><u>Do not include figures 7.3 – 7.8 in the plan until categories have been verified</u></p>
<p><u>Tables 7.3 – 7.5</u></p>	<p>Surface and groundwater allocation amounts</p>	Oppose		<p><u>Change the allocation amounts to what is currently allocated or more if spare water has been identified</u></p>

<p><u>Schedule P:</u>  assessing and managing groundwater and surface water connectivity</p>		oppose	<p>Needs <u>empirical</u> 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>Needs <u>empirical</u> calibration by GW</p>
<p><u>Schedule Q:</u>  reasonable and efficient use criteria</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>	Amend	<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 – for <u>Wairarapa conditions</u>  (a) add after 80% - where <u>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>.</p> <p>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.</p> <p>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</p> <p>However needs of stock drinking water and rootstock protection needs acknowledged</p> <p>However more and more appropriate management points e.g. further south of Waihenga are required. GW to establish in consultation with water users.</p> <p>As water is cleaned up the minimum flow requirement for dilution is lower.</p> <p>The effects of low flows needs to demonstrated as are the effects of restrictions</p> <p>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></p> <p>Table R1 is interim GW 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	Milkimiki Bridge
Waingawa River	1100	1700	1900	Kaituna
Parkvale Stream	100		120	Renalis 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:

**Margaret Niven**

Submitter Number:

**S293**





## 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

<b>Name</b>	Margaret Niven
<b>Farm Name</b>	Bruce and Margaret Niven's Farm
<b>Physical Address</b>	66 Waimanu Road RD3 Otaki
<b>Phone Number</b>	06 364 0570
<b>Email Address</b>	margaret_niven@hotmail.com

**Communication from GWRC:** I prefer email

**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

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

### INTRODUCTION – Key Points about farm/business

<b>Farm Type</b>	Deer and sheep farming - agricultural business
<b>Farm size (area)</b>	200 acres total and 156 effective for farming.
<b>Main Waterways</b>	Our property is alongside the Otaki River
<b>Environmental investments</b>	<p>We have a very attractive and tidy, park-like farm, with extensive planting of exotic specimen trees, an arboretum, many shelter belts and gardens. The property is managed in an environmentally sensitive manner.</p> <p>The Otaki River in one location runs over our private property and the gravel areas associated with that stretch of the River are also on our property. We treat this part of our property as a natural area and enjoy using the ponds on it for swimming and other recreational pursuits.</p>
<b>QE2 or Retirement Blocks</b>	We have a 12 acre QE 2 block and have also retired and fenced other areas of mostly indigenous vegetation. We have retired some other natural areas <b>alongside</b> and <b>under</b> the Otaki River

<b>General Comments</b>	<p>I would like to use a “partnership approach” with Greater Wellington council staff on the ground. We have used this approach with KCDC, by being in a small ‘Pilot Group’ of farms in the development of their latest Proposed District Plan.</p> <p>Our main objective in submitting on the proposed Natural Resources Plan for the Wellington Region, is to keep various options open for the future use of our property.</p> <p>While continuing to manage our farm sustainability, we are also continuing to develop it as part of a central Government funded ‘Advance Party’, using deer farming ‘best practice’. In addition we plan to continue introducing other innovations and enhancements to this property.</p> <p>Naturally, we wish to ensure our future plans are not blocked by Greater Wellington Council and we also wish to minimize Council imposed compliance costs.</p> <p>We enjoy farming and continuing to develop the property, and we may also consider sub-dividing it in future for the benefit of our family.</p>
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## **KEY PROVISIONS THAT MY SUBMISSION RELATES TO ARE:**

### **1. OTAKI RIVER CORRIDOR MAPPING**

The boundary of the Otaki River Corridor alongside one section of our property needs to be reviewed by Greater Wellington Council as part of this Plan Update and then moved back off the pasture in our sheep paddock, towards the 'proper river corridor'. This sheep paddock is significantly elevated above the river and its associated river protection works and it is also a long distance from the Otaki River. Furthermore the paddock is **not** in the "normal" very wide area of river corridor, which also exists between our sheep paddock and the river.

As part of our farming operation we occasionally use a farm track for quads and other vehicles that runs through the sheep paddock, from Rahui Road and to our home and other farm paddocks. In future we would like to upgrade this farm track to become a private road to improve the access to our property. Currently the only reasonable road access to our farm is from Waimanu Road, which is a very narrow, single lane, unsealed, dangerous road, above a steep cliff.

KCDC has approved the subdivision of a next-door neighbour's farm into new house lots, which means that there will very shortly be considerably more vehicle traffic using Waimanu Road. As a consequence of that subdivision there will be a much greater safety risk to all traffic and people using Waimanu Road, especially ourselves. Our deer go to the meat works in large articulated trucks that have to travel up and down Waimanu Road to collect the deer from our farm. The truck drivers visiting our farm would find it almost impossible to "**back**" on Waimanu Road, which is about half a mile long, in length.

In summary, I oppose the current mapping of the Otaki River corridor, especially where it covers our farm access from Rahui Road, to and through our sheep paddock, including the farming track we use in this area.

**My submission is: ~~support~~/oppose current boundary of part of the Otaki River corridor**

**I seek the following changes:** Remove the overlay of river corridor from our sheep paddock; including from the farm track from Rahui Road, which goes through the sheep paddock and up the escarpment towards our arboretum and home.

### **2. MAPPED OVERLAYS ON NIVEN PROPERTY**

I oppose the mapping of all other overlays on our farm, as they may make our farming business more difficult and costly than necessary, and they are not adding any value. This includes the identification of any Significant Amenity Landscapes on our property.

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

**I seek the following changes: Remove all mapped overlays from our farm.**

### **3. DRINKING WATER SUPPLY**

We currently have our household drinking water supply coming from the Otaki River, via a small pump house at the bottom of the escarpment. We wish to ensure that this domestic and farm water supply will continue in the future.

**My submission is: ~~support~~/oppose any changes to the supply of drinking water from the river for our household and farm.**

## **OTHER MATTERS OF CONCERN**

### **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

#### **Comments**

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.

## **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

## **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

## **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



## **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

## 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

## **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

## **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

## **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

## **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

## **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.

## **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



## **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

Proposed Natural Resources Plan:

Submitter:

**Bell Camp Trust**

Submitter Number:

**S294**





## Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation  
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of Bellcamp Trust in relation to 131 Forest Lakes Road, Otaki

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

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

The specific provisions of the proposal that this submission relates to are set out in

My submission opposing or supporting provisions is set out in Parts 2 and 3 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 and 3 of this submission.

The submitters wishes to be heard in support of my submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to read "Anna Carter", written over a horizontal line.

Anna Carter  
Person authorised to sign  
on behalf of submitter

Date 23 October 2015

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## 1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters has in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

## 2.0 SUBMITTER'S PROPERTY

- 2.1 The property at 131 Forest Lakes Road, Otaki as shown on the attached aerial and legally described as Lot 2DP 362218 held on Computer Freehold Title 253951 is 21.2708 hectares
- 2.2 The property is rolling pasture. The property contains a dwelling and the occupants manage the property for grazing and for its amenity. There is an unnamed stream that flows through the southern part of the property which is part of the Waitohu water catchment. This watercourse feeds a wetland which is partially within the owner's property. The watercourse/wetland is identified as being 'O-te-Pua' a *significant natural* wetland. The watercourse is also identified as an **F1 Scheduled Site** as it is a **habitat for threatened or at risk native fish**.
- 2.3 The submitters have specific concerns about how the PROPOSED Regional Plan provisions will affect the day-to-day operations on their property; future use of the property and the practicality and/or necessity of imposing certain provisions.
- 2.4 The owner opposes all provisions relating to the management of wetlands – both natural and significant wetlands. The submitters are concerned about the Proposed Regional Plan severely restricting their ability to undertake pest plant and weed control within the wetland on their property. The specific submissions and relief sought in relation to this issue are detailed in paragraph 3 and paragraphs 4 below.

## GENERAL SUBMISSIONS

### 3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HIERARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water

quality provisions and in particular the non-compulsory values that may be included as provided for under the NPS-FW. Instead, the Proposed Regional Plan includes catch-all objectives and policies, which are unlikely to have met the Section 32 tests of being efficient and effective having had regard to all alternatives. The submitter oppose this generic approach and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify “values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

- 3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.
- 3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government. Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan. Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongs the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapouri is noted as having ‘Fair’ water quality and the Mangaone Estuary as having ‘Fair’ recreational grade)*
- *Waitohu Stream hill country has ‘Excellent’ water quality*
- *Otaki River mid section has ‘Excellent’ water quality and ‘Very Good’ recreational grade*
- *Inland Waikanae River has ‘Good’ water quality and ‘Excellent’ water quality in the lower reaches with ‘Good’ recreational grade*

According to Section 32 Report 'Ki Uta ki Tai,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ..." (Paragraph 3.2.6).

- 3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

*S.6 Matters of National Importance*

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

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



Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to “protected customary rights.” The Marine and Coastal Area (Takutai Moana) Act 2011 defines ‘protected customary right’ as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840<sup>1</sup>.

- 3.6 The submitter seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitter supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, “Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater” as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

### 3.9 Relief Sought

- 3.9.1 The submitters oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whaitua committee process. Such provisions are likely to be considered ultra vires as a submitter can not consider the effects of variations before they have been adopted. Furthermore, all notes relating to the Whaitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation is granted and at that time any planning provision would become apparent. The provisions that should be deleted included, but are not limited to:

*Policy P63: Improving water quality for contact recreation and maori customary use*

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<sup>1</sup> Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

~~Note: Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whaitua. These may be incorporated into the Plan by a future plan change or variation."~~

*Policy 65: Minimising effects of nutrient discharges*

*"The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:*

- (a) good management practices; and*
- (b) information gathering, monitoring, assessment and reporting, and*
- (c) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and*
- (d) regulatory and non-regulatory methods, and*
- ~~*(e) plan changes or variations resulting from catchment specific recommendations from the Whaitua committee process."*~~

- 3.9.2 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

*Schedule H1 and Rivers shown on Map 20:* In line with the principle that the Whaitua process should determine the non-compulsory values, the submitter also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

*Objective 05*

*"Fresh water bodies and the coastal marine area, as a minimum, are managed to:*

- (a) safeguard aquatic ecosystem health ~~and mahinga kai;~~*
- (b) provide for ~~contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and*
- (c) in the case of fresh water, provide for ~~the health needs of people~~ secondary recreational contact and/or provision of potable water\* (\* would require a new definition for 'secondary recreational contact')"*

*Objective 24*

*"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation ~~fresh water bodies are suitable for contact recreation~~ ~~contact recreation~~ ~~and Maori customary use, including by:~~*

- (a) maintaining water quality; or
- (b) improving water quality in
  - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and
  - ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contact recreation objectives in Table 3.2.”

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20”

Objective O25

“To safeguard aquatic ecosystem health ~~māhinga-kai~~ in fresh water bodies and coastal marine area:

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and māhinga-kai~~, and
- (b) restoration of aquatic ecosystem health ~~and māhinga-kai~~ is encouraged over time\* (\* refer paragraph 8.0 of this submission), and
- (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”

Policy P10: Contact recreation and Maori customary use

“The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, in fresh and coastal water, ~~including by:~~

- ~~(a) providing water quality and, in rivers, flows suitable for the community’s objectives for contact recreation and Maori customary use~~
- ~~(b) managing activities to maintain or enhance 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~~
- ~~(c) encouraging improved access to suitable swimming locations, and~~
- ~~(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area~~

Policy P31: Aquatic ecosystem health ~~and māhinga-kai~~

“Aquatic ecosystem health ~~and māhinga-kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:

- (a) ~~minimise limit~~ adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and
- (b) ~~minimise limit~~ 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
- (c) ~~minimise limit~~ adverse effects on habitats that are important to the life cycle and survival of aquatic species, and

- (d) ~~minimise~~ limit adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and
- (e) avoid creating barriers to the migration or movement of indigenous aquatic species, ~~and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) ~~minimise~~ limit adverse effects on established riparian habitats and restore them where practicable, and
- (g) avoid the introduction, and restrict the spread of, aquatic pest plants and animals.”

Policy P32: Adverse effects on aquatic ecosystem health ~~and mahinga kai~~  
 “Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. by:

- (a) ~~avoiding significant adverse effects; (see comments in next section under ‘Water Quality’)~~
- (b) ~~where significant adverse effects cannot be avoided, remedying them, and~~
- (c) ~~where significant adverse effects cannot be remedied, mitigating them, and~~
- (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)”

Policy P62: Promoting discharges to land

“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) secondary recreational contact and/or provision of potable water\* ~~contact recreation and Maori customary use.”~~

Policy P70: Managing point source discharges for aquatic ecosystem health ~~and mahinga kai~~

“Where an objective in Table 3.4, Table 3.5, or Table 3.8\* of Objective O25 is not met, point source discharges to water shall be managed in the following way ....”

\*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.

3.9.3 The submitter opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. The submitter opposes any “mitigation hierarchy” including the reference in Schedule G. The submitter opposes the attempt to define “minimisation of adverse effects” under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions the submitters oppose include, but are not limited to the following:

*Objective O19*

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

*Policy P4: Minimising adverse effects*

*"Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practical 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) where possible, 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 small as practicable."*

*Policy P26: Natural processes*

*"Use and development will be managed to ~~minimise~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes."* The submitter opposes the use of the word "minimises" with the current definition as set out in Policy 4 above but would support an amended Policy P4.

- 3.9.4 The submitters oppose any provisions which impose additional restrictions on adjoining land on the basis that they are "buffers" or provide "connections" between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

*Objective O28*

*The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.*

*Policy P30: Natural buffers*

*~~The adverse effects of~~ Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.*

- 3.9.5 The submitters oppose any provisions which require 'restoration' and/or 'enhancement'. Submitters are seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

*Objective O3*

*Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"*

*Objective O9*

*"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."*

*Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."*

*Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."*

*Objective O28*

*"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."*

*Objective O29*

*"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."*

*Objective O30*

*"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."*

*Objective O33*

*~~"Sites with Significant Values"~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."* Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

*Objective O35*

*"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."*

*Objective O38*

*"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."*

*Policy P17: Mauri*

*"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:*

- (a) managing the individual and cumulative effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and*
- (b) providing for activities that sustain and where possible/identified enhance mauri over time*
- (c) recognising the role of kaitiaki in sustaining mauri"*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."*

*P44: Protection and restoration of sites with significant mana whenua values*

*"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored."*

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 The submitters supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

*Objective O33*

*~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."*

*~~Policy P44: Protection and restoration of sites with significant mana whenua values~~*

*~~"Sites with significant mana whenua values shall be identified in Schedule C (mana whenua) shall be protected and/or restored"~~*

*Policy P45: Managing adverse effects on sites with significant mana whenua values*

*~~"in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should be avoided."~~*

*~~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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori. as recommended in the cultural impact assessment by:~~*

- ~~(a) avoiding more than minor adverse effects, and~~*
- ~~(b) where more than minor adverse effects cannot be avoided, remedying them, and~~*
- ~~(c) where more than minor adverse effects cannot be remedied, mitigating them, and~~*
- ~~(d) receiving written consent of the iwi authority.~~*

*~~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."~~

3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *"Mahinga kai" - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *"Mahinga kai – kei te ora te mauri" - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *"Mahinga kai fishing" – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption."*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

#### 4.1 WATER QUALITY

4.1 Bell Camp Trust recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, the submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment's water quality should be improved or not.

The wording of the NPS-FW is to *"to maintain or improve the overall quality of freshwater within a region."* The Land and Water Forum working on the wording on the NPS-FW recommended



that “*maintain*” means staying within the same band and “*improve*” means moving to a higher band<sup>2</sup>. To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs). In the Wellington Region this is being done through the Whaitua process.

- 4.3 The submitters oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. The submitters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.4 The submitters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. The submitters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.5 The submitters oppose Rule 89 being the discharge of contaminants onto or into land and the associated discharge of odour from a new farm refuse dump. The submitters consider that the area of 50m<sup>3</sup> is insufficient to meet their daily needs; and that there appears to be no basis for the other provisions relating to requirements that they are located in silty or clary soils or that they not be located within an area prone to flooding or ponding; that they not be located 0.6m above the seasonally highest water table. The submitters consider that it would be more appropriate and simpler if the rule just referred to a set-back distance from water supplies which are used for potable water.
- 4.6 The submitters oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. The submitters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submitter considers that the provision in Rule 94(c) that “*sediment laden surface water resulting from cultivation does not flow to a surface water body*” is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. The submitter would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.

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<sup>2</sup> Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,

- 4.7 The submitters are concerned that the provisions relating to earthworks do not exclude the construction of new farm/forestry tracks. The submitters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm and forestry tracks in accordance with the provisions in District Plans in the region. The submitters state that provided new farm and forestry tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) that all effects will be appropriately managed.
- Similarly, the submitters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to “people” not discharging contaminants or water into water (refer section 15 of the Act).
- 4.8 The submitters oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Specifically the submitters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). The submitters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed. Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.
- The submitters also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Submitters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more.
- 4.9 The submitters oppose the inclusion of the significant natural wetland on their property in Schedule F3 of the Regional Plan. The submitters oppose the onerous provisions in the Proposed Regional Plan that would prevent them from undertaking their own restoration activities within this wetland without first having to obtain a resource consent. The potential costs of complying with the new provisions of the Proposed Regional Plan make restoration of the wetland prohibitive. The submitters consider that these new provisions will have the effect of increasing pest plant and animals in the environment. The section 32 reports on these provisions are inadequate in that they do not weigh up the costs and benefits fairly.
- 4.10 The submitters oppose the provisions relating to maintenance of drains. The submitters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. The submitters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead

the submitters would support a 'best practice provision' which states, 'where possible, all fish and koura should be returned to the drain.' The submitters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

#### 4.11 Relief Sought

- 4.11.1 The submitter seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.
- 4.11.2 The submitter's oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. The submitter supports changes to the provisions that provide instead for "best practice" and "to avoid wherever practicable discharges to surface water bodies" by aerial topdressing pilots.
- 4.11.3 The submitters oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. The submitter's support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.
- 4.11.4 The submitter opposes rule 89 and seeks for it to be amended to allow for a refuse up to 100m<sup>3</sup> in size. The submitter seeks that Rule 89 (c)(ii) be deleted; that rule 89(d)(i) be deleted; that rule 89(e) be deleted; that Rule 89(h) be deleted; and that Rule 49(i) be deleted.
- 4.11.5 The submitters oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. The submitters oppose the activity status of 'discretionary' for any non-compliance and state that at the most any activity not complying should be 'controlled.' The submitter would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.
- 4.11.6 The submitters oppose the inclusion of the significant natural wetland on their property in Schedule F.3 of the Regional Plan.

The submitters oppose the definition of "natural wetlands". The submitter supports amending the definition to exclude areas of land that might contain a large number of rushes; and/or another type of of wetland type species but no other wetland indicator species.

The submitters oppose all provisions relating to wetlands in general including Rules 5.5.2, Rule R104, R105, R106, R107, R108, R109, R110 and R111.

The submitter's support the following amendments being made, but are not limited to, the following:

*"Natural Wetland*

...

*"Natural wetlands do not include:*

*(a) damp gully heads, or wetted pasture, or pasture predominantly containing ~~with patches of~~ rushes or pastures predominantly containing one wetland species having no other wetland indicator species...."*

*Rule 104: Structures in natural wetlands and significant natural wetlands – permitted activity  
"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:*

- (a) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (b) deposition in, on or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (c) diversion of water, and*
- (d) discharge of sediment to water*

*is a permitted activity, provided the following conditions are met:*

- ~~(e) only hand-held machinery is used in any area of the natural wetland, and~~*
- (f) the activity shall comply with the wetland general conditions for activity in natural wetlands, significant natural wetlands and outstanding natural wetlands specified above in Section 5.5.2"*

*Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity*

*"The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a natural wetland, significant natural wetland, or outstanding natural wetland including any associated:*

- (a) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (c) damage to part of the foreshore or seabed that forms part of a natural wetland, and*
- (d) diversion of water, and*
- (e) discharge of sediment to water*

*is a permitted activity provided the following conditions are met:*

- (f) only appropriate indigenous wetland species are deliberately introduced or planted, and*
- (g) only appropriate pest plant species are deliberately removed or controlled, and*
- (h) only agrichemicals approved by the Environmental Protection Authority are used, and*
- ~~(i) agrichemicals are not applied by aerial spraying, and~~*
- ~~(j) only hand-held machinery is used in any area of the wetland, and~~*
- (k) 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"*

4.11.7 The submitter opposes all provisions relating to drain clearance. The Submitter supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; the Submitters support provisions that provide for best practice when returning

fish and koura to drains if they have been removed during the clearance process; the Submitters support the removal of woody debris from drains.

4.11.8 The submitters opposes all provisions relating to earthworks and control of stormwater where it comes from an area of earthworks. The submitters opposes Rule 48 and seeks that it be deleted.

4.11.9 The submitter opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to "exclude" the construction of "new" farm and "forestry" tracks.

The submitter supports a new permitted activity rule for new farm and forestry tracks as follows:

*"New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –*

*(a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;*

*(b) earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained*

*(c) work areas are stabilised within six months after the completion of the works*

*(d) any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –*

*a. the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or*

*b. any conspicuous change in colour or visual clarity, or*

*c. any emission or objectionable odour, or*

*d. the rendering of fresh water unsuitable for consumption by animals, or*

*e. any significant adverse effect on aquatic life."*

4.11.10 The submitters oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).

4.11.11 The submitter opposes the definition of 'erosion prone land' as set out in Chapter 2 of the Proposed Regional Plan and seeks for it to be amended as follows:

*Erosion Prone Land*

*The pre-existing slope of the land exceeds ~~20~~ 28 degrees*

4.11.12 The submitter opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. The submitter supports Rule 101 being a *restricted discretionary activity* where Council's discretion is limited to management of sediment from construction and long term effects from the earthworks.

## 5.0 WATER QUANTITY & WATER ALLOCATION

5.1 The Submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitter supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

The submitter supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason the submitter opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

5.3 The submitter's oppose the restrictions to prevent water takes where the water is within 50m of a natural wetland (noting that the submitter reserves their right to withdraw this objection should the criteria for natural wetlands be amended).

### 5.4 Relief Sought

5.4.1 As noted above in paragraph 4, the submitters oppose the definition of natural wetlands and all rules relating to wetlands and seeks the relief as set out in paragraph 4.0 above.

5.4.2 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional Plans until such time that the Waitua process identifies which waterbodies have been over-allocated.

## 6.0 AIR QUALITY

6.1 The submitter opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitter opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

The submitters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are “likely to be directly affected by the discharge” or owners and occupiers of properties who “request a copy.” The latter provision could mean that people not even affected could request a copy of a spray plan. Furthermore, what does it mean to be ‘directly affected?’ Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

The submitters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. The submitters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis the submitter questions whether Rule 36 (i) is relevant at all.

### 6.2 Relief Sought

6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

*(g) the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and*

*(i) identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Seciton 5.3 and appendix M4, and*

*(ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*

*(iii) gain written agreement from adjoining neighbours that notification is not required, and*

*(iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the*

~~discharge or likely to be directly affected by the discharge, or requests a copy,~~  
and

(h) ...

~~(i) 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~~

## 7.0 BIODIVERSITY

7.1 The submittor opposes requirements to 'restore' ecosystems and habitats with significant indigenous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigenous biodiversity and habitats with significant indigenous fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

7.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must be considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

### 7.3 Relief Sought

7.3.1 The submittor opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

*Policy P40: Ecosystems and habitats with significant indigenous biodiversity values*

*"Protect, and where possible restore over time, the following ecosystems and habitats with significant indigenous biodiversity values:*

*(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes);*

*(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and*

*(c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);*



*(d) the ecosystems and habitat types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats)."*

7.3.2 The submitter opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

*Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values*

*"In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:*

- ~~(a) maintain ecological connections within and between those habitats, or~~*
- ~~(b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and~~*
- ~~(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and~~*
- (d) avoid cumulative adverse effects on, and the incremental loss of the values of those ecosystems and habitats."*

## 8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council's a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likely, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

### 8.2 Relief Sought

8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

Objective O9

*"The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time."*

Objective O11

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time."*

Objective O23

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time."*

Policy P3: Precautionary Approach

*Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the risk of adverse effects the activity may have on this environment may be both high and likely to occur.*

Objective O47

*"The amount of sediment-laden runoff entering water is reduced over time."*

Policy P20: Exercise of Kaitiakitanga

*"Kaitiakitanga shall be recognised and provided for by:*

- (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 Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

Policy P35 Restoring fish passage

*"The passage of indigenous fish and koura shall be restored, over time, where this is appropriate for the management and protection of indigenous fish and koura populations."*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."*

**9.0 LANDSCAPES**

9.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitter supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. The submitter would support the consideration of special amenity landscape values, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.

9.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

**9.3 Relief Sought**

9.3.1 The submitter opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

*~~Objective O38~~*

*~~"Identified special amenity landscape values are maintained or enhanced."~~*

*~~Policy P49: use and development adjacent to outstanding natural features and landscapes and special amenity landscapes~~*

*~~"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:~~*

- ~~(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and~~*
- ~~(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape."~~*

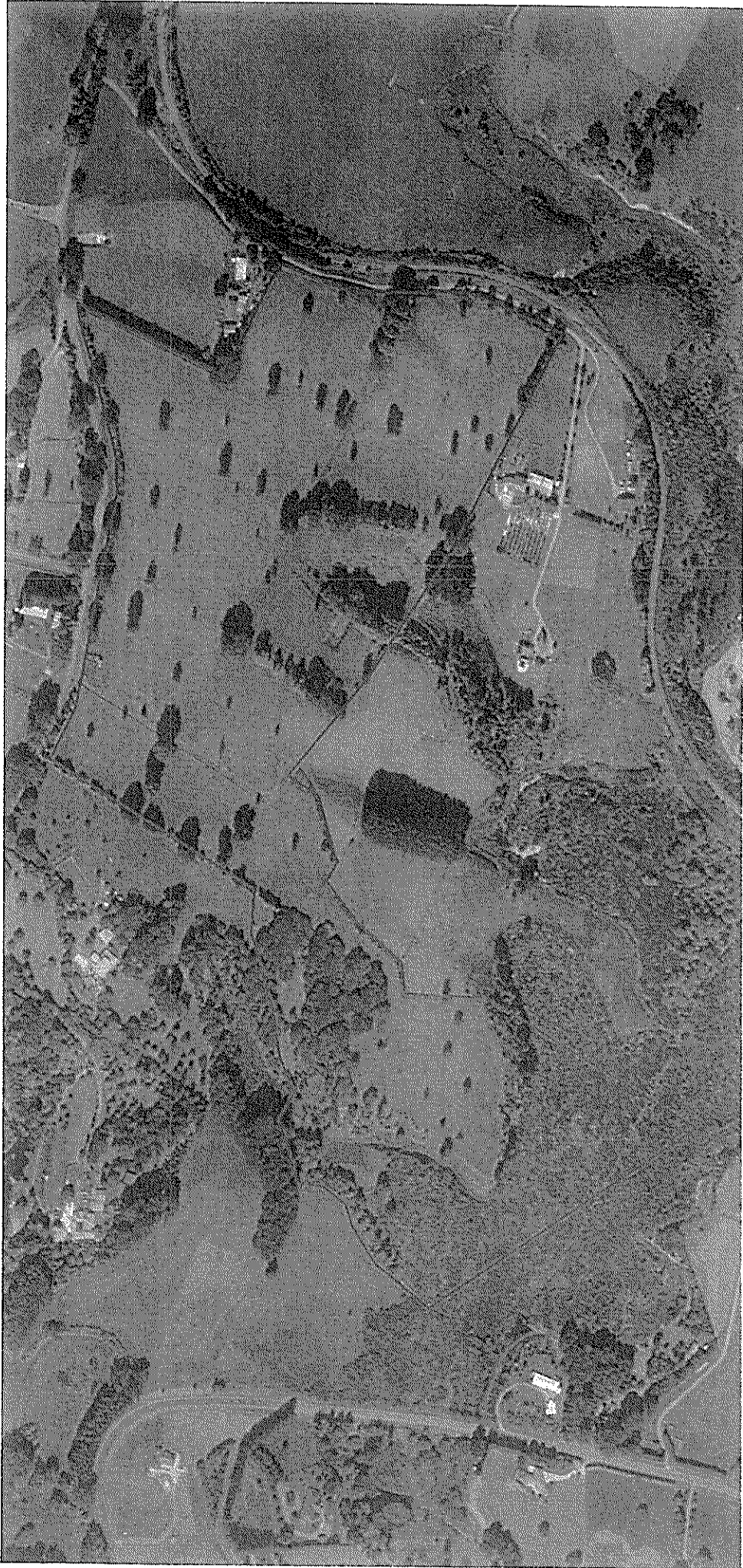
## 10. BEDS OF LAKES AND RIVERS

- 10.1 The submitters oppose the rules relating to river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.
- 10.2 The submitters also oppose Rule 114(g) which limits formed crossings to 20m<sup>2</sup> as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.
- 10.3 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

### 10.4 Relief Sought

- 10.4.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.
- 10.4.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.





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Proposed Natural Resources Plan:

Submitter:

**Carter Families**

Submitter Number:

**S295**







## Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation  
*Clause 6 of Schedule 1, Resource Management Act 1991*

To: Greater Wellington Regional Council

This submission has been prepared on behalf of the Carter Families in relation to the properties at 432, 450, 516 and 518 Mangaone South Road, Reikorangi, Kapiti Coast.

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

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

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission.

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission.

The submitters wishes to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, consisting of several loops and a long tail, positioned above a horizontal line.

Signature of submitter  
(or person authorised to sign  
on behalf of submitter)

Date 23 October 2015

Address for service of submitter:	c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki
Telephone:	06 364 9147 (DDI)
Email:	anna@landmattersnz.com
Contact person:	Anna Carter – Senior Resource Management Consultant Land Matters Ltd

## 1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters have in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

## 2.0 SUBMITTER'S PROPERTY

- 2.1 The properties are located at 432, 450, 516 and 518 Mangaone South Road as shown on the attached aerial and totalling 245 hectares.
- 2.2 The property is hill country that is predominantly planted in production forest being pinus radiata. The properties contain the dwellings of all the property owners who also enjoy the property for its amenity values. There are unnamed water courses flowing through and along the property boundary of these properties. The watercourses are part of the Waikanae River catchment and are also identified as surface water drinking water catchments. Waikanae River is identified as a Schedule C2 Site.
- 2.3 The submitters have specific concerns about how the PROPOSED Regional Plan provisions will affect the day-to-day operations on their property; future use of the property and the practicality and/or necessity of imposing certain provisions.
- 2.4 In particular the submitters are concerned about provisions relating to vegetation clearance; construction and maintenance of forestry and farm tracks; and onerous provisions should they need a resource consent to restore or enhance water quality for the purpose of non-compulsory water values that they have not been consulted over. The submitters discuss these matters in more depth and identify the relief they seek in the paragraphs below.

## GENERAL SUBMISSIONS

### 3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HIERARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water

quality provisions and in particular the non-compulsory values that may be included as provided for under the NPS-FW. Instead, the Proposed Regional Plan includes catch-all objectives and policies, which are unlikely to have met the Section 32 tests of being efficient and effective having had regard to all alternatives. The submitter oppose this generic approach and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify “values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

- 3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.
- 3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government. Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Waitua process) and then through a variation to the Regional Plan. Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongs the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapouri is noted as having ‘Fair’ water quality and the Mangaone Estuary as having ‘Fair’ recreational grade)*
- *Waitohu Stream hill country has ‘Excellent’ water quality*
- *Otaki River mid section has ‘Excellent’ water quality and ‘Very Good’ recreational grade*
- *Inland Waikanae River has ‘Good’ water quality and ‘Excellent’ water quality in the lower reaches with ‘Good’ recreational grade*

According to Section 32 Report 'Ki Uta ki Tai,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "*GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ...*" (Paragraph 3.2.6).

- 3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

*S.6 Matters of National Importance*

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

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

Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to “protected customary rights.” The Marine and Coastal Area (Takutai Moana) Act 2011 defines ‘protected customary right’ as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840<sup>1</sup>.

- 3.6 The submitter seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitter supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, “Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater” as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

### 3.9 Relief Sought

- 3.9.1 The submitters oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whaitua committee process. Such provisions are likely to be considered ultra vires as a submitter can not consider the effects of variations before they have been adopted. Furthermore, all notes relating to the Whaitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation is granted and at that time any planning provision would become apparent. The provisions that should be deleted included, but are not limited to:

*Policy P63: Improving water quality for contact recreation and maori customary use*

...

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<sup>1</sup> Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

~~Note: Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whaitua. These may be incorporated into the Plan by a future plan change or variation."~~

Policy 65: Minimising effects of nutrient discharges

"The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:

- (a) good management practices; and
- (b) information gathering, monitoring, assessment and reporting, and
- (c) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and
- ~~(d) regulatory and non-regulatory methods, and~~
- ~~(e) plan changes or variations resulting from catchment specific recommendations from the Whaitua committee process."~~

- 3.9.2 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

*Schedule H1 and Rivers shown on Map 20:* In line with the principle that the Whaitua process should determine the non-compulsory values, the submitter also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

*Objective 05*

"Fresh water bodies and the coastal marine area, as a minimum, are managed to:

- (a) safeguard aquatic ecosystem health ~~and mahinga kai;~~
- (b) provide for ~~contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and
- (c) in the case of fresh water, provide for the health ~~needs of people~~ secondary recreational contact and/or provision of potable water\* (\* would require a new definition for 'secondary recreational contact')

*Objective 24*

"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation ~~fresh water bodies are suitable for contact recreation~~ ~~contact recreation~~ ~~and Maori customary use,~~ including by:



- (a) maintaining water quality; or
- (b) improving water quality in
  - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and
  - ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contact recreation objectives in Table 3.2.”

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20”

Objective O25

“To safeguard aquatic ecosystem health ~~māhinga kai~~ in fresh water bodies and coastal marine area:

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and māhinga kai~~, and
- (b) restoration of aquatic ecosystem health ~~and māhinga kai~~ is encouraged over time\* (\* refer paragraph 8.0 of this submission), and
- (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”

Policy P10: Contact recreation and Maori customary use

“The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, in fresh and coastal water, ~~including by:~~

- ~~(a) providing water quality and, in rivers, flows suitable for the community’s objectives for contact recreation and Maori customary use~~
- ~~(b) managing activities to maintain or enhance 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~~
- ~~(c) encouraging improved access to suitable swimming locations, and~~
- ~~(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area~~

Policy P31: Aquatic ecosystem health ~~and māhinga kai~~

“Aquatic ecosystem health ~~and māhinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:

- (a) ~~minimise limit~~ limit adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and
- (b) ~~minimise limit~~ limit 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
- (c) ~~minimise limit~~ limit adverse effects on habitats that are important to the life cycle and survival of aquatic species, and

- (d) ~~minimise limit~~ adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and
- (e) avoid creating barriers to the migration or movement of indigenous aquatic species, ~~and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) ~~minimise limit~~ adverse effects on established riparian habitats and restore them where practicable, and
- (g) avoid the introduction, and restrict the spread of, aquatic pest plants and animals.”

Policy P32: Adverse effects on aquatic ecosystem health ~~and mahinga kai~~

“Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. by:

- (a) ~~avoiding significant adverse effects; (see comments in next section under ‘Water Quality’)~~
- (b) ~~where significant adverse effects cannot be avoided, remedying them, and~~
- (c) ~~where significant adverse effects cannot be remedied, mitigating them, and~~
- (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)”

Policy P62: Promoting discharges to land

“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) secondary recreational contact and/or provision of potable water\* ~~contact recreation and Maori customary use.~~”

Policy P70: Managing point source discharges for aquatic ecosystem health ~~and mahinga kai~~

“Where an objective in Table 3.4, Table 3.5, or Table 3.8\* of Objective O25 is not met, point source discharges to water shall be managed in the following way ....”

\*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.

3.9.3 The submitter opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. The submitter opposes any “mitigation hierarchy” including the reference in Schedule G. The submitter opposes the attempt to define “minimisation of adverse effects” under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions the submitters oppose include, but are not limited to the following:

Objective O19

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

*Policy P4: Minimising adverse effects*

*"Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practical 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) where possible, 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 small as practicable."*

*Policy P26: Natural processes*

*"Use and development will be managed to ~~minimise~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes."* The submitter opposes the use of the word "minimises" with the current definition as set out in Policy 4 above but would support an amended Policy P4.

- 3.9.4 The submitters oppose any provisions which impose additional restrictions on adjoining land on the basis that they are "buffers" or provide "connections" between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

*Objective O28*

*The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.*

*Policy P30: Natural buffers*

~~The adverse effects of Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.~~

- 3.9.5 The submitters oppose any provisions which require 'restoration' and/or 'enhancement'. Submitters are seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

*Objective O3*

*Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"*

*Objective O9*

*"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."*

*Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."*

*Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."*

*Objective O28*

*"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."*

*Objective O29*

*"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."*

*Objective O30*

*"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."*

*Objective O33*

*"~~Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time." Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.*

*Objective O35*

*"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."*

*Objective O38*

*"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."*

*Policy P17: Mauri*

*"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:*  
*(a) managing the individual and cumulative effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and*  
*(b) providing for activities that sustain and where possible/identified enhance mauri over time*  
*(c) recognising the role of kaitiaki in sustaining mauri"*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."*

*P44: Protection and restoration of sites with significant mana whenua values*

*"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored."*

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 The submitters supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

*Objective O33*

*~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."*

*~~Policy P44: Protection and restoration of sites with significant mana whenua values~~*

*~~"Sites with significant mana whenua values shall be identified in Schedule C (mana whenua) shall be protected and/or restored"~~*

*Policy P45: Managing adverse effects on sites with significant mana whenua values*

*~~"in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should be avoided.~~*

*~~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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori. as recommended in the cultural impact assessment by:~~*

- ~~(a) avoiding more than minor adverse effects, and~~*
- ~~(b) where more than minor adverse effects cannot be avoided, remedying them, and~~*
- ~~(c) where more than minor adverse effects cannot be remedied, mitigating them, and~~*
- ~~(d) receiving written consent of the iwi authority.~~*

*~~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.~~

3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *“Mahinga kai” - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *“Mahinga kai – kei te ora te mauri” - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *“Mahinga kai fishing” – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.”*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

#### 4.1 WATER QUALITY

4.1 The Blackett’s recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, the submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment’s water quality should be improved or not.

The wording of the NPS-FW is to *“to maintain or improve the overall quality of freshwater within a region.”* The Land and Water Forum working on the wording on the NPS-FW recommended that *“maintain”* means staying within the same band and *“improve”* means moving to a higher

band<sup>2</sup>. To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs).

- 4.3 The submitters oppose the provisions which prevent existing lots located within a community drinking water supply protection area from constructing a dwelling with an on-site effluent disposal system (refer rule 92). In terms of the Waikanae River, there is no evidence that the existing on-site effluent disposal systems are having an adverse effect on the drinking water quality. Landowners who have gone through the planning and legal processes to create a lot should not be prevented from doing so via a provision in a Regional Plan. Any provisions in a regional plan should relate to any future lots and not existing lots subject to evidence showing that such provisions are necessary to give effect to the NPS-FW. If those provisions are not necessary the provisions should be deleted.
- 4.4 The submitters oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. The submitters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.5 The submitters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. The submitters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.6 The submitters oppose Rule 89 being the discharge of contaminants onto or into land and the associated discharge of odour from a new farm refuse dump. The submitters consider that the area of 50m<sup>3</sup> is insufficient to meet their daily needs; and that there appears to be no basis for the other provisions relating to requirements that they are located in silty or clary soils or that they not be located within an area prone to flooding or ponding; that they not be located 0.6m above the seasonally highest water table. The submitters consider that it would be more appropriate and simpler if the rule just referred to a set-back distance from water supplies which are used for potable water.
- 4.7 The submitters oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. The submitters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submittor considers that the

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<sup>2</sup> Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,

provision in Rule 94(c) that “*sediment laden surface water resulting from cultivation does not flow to a surface water body*” is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. The submitter would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.

4.8 The submitters oppose Rule 97 – Access to the beds of surface water bodies by livestock and oppose the definition of “dairy cows” to include all dairy cows whether they are dry stock and/or grazing stock. The submitter does not have a dairy farm but grazes dry dairy cows on behalf our others in both the hill country and lowland areas on his farm. The current rules would require that “rivers that have an active bed width of 1m or wider” regardless of whether they are in the hill-country or the lowlands would need to be fenced if the adjoining paddocks contain dairy cows including dry and grazing dairy cows. This would mean that streams in the hill country would either need to be fenced or the submitter would need to stop grazing dry dairy cows on those paddocks. Dry and/or grazing dairy cows are not held at the same stocking rates as milking cows and are often grazed on hill country areas where it is not always practicable to fence off small narrow streams (i.e. beds that are wider than 1m).

4.9 The submitters are concerned that the provisions relating to earthworks do not exclude the construction of new farm tracks. The submitters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm and forestry tracks in accordance with the provisions in District Plans in the region. The submitters state that provided new farm and forestry tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) that all effects will be appropriately managed.

Similarly, the submitters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to “people” not discharging contaminants or water into water (refer section 15 of the Act).

4.10 The submitters oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Specifically the submitters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). The submitters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed.



Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.

The submitters also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Submitters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more.

- 4.11 The submitters oppose the provisions relating to culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast.
- 4.12 The submitters oppose the provisions relating to maintenance of drains. The submitters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. The submitters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead the submitters would support a 'best practice provision' which states, 'where possible, all fish and koura should be returned to the drain.' The submitters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

#### 4.13 Relief Sought

- 4.13.1 The submitter seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.
- 4.13.2 The submitters oppose Rule 92 and request that it be deleted and that Rule 75 be amended to provide for on-site effluent disposal systems within a community drinking water supply protection area.
- 4.13.3 The submitter's oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. The submitter supports changes to the provisions that provide instead for "best practice" and "to avoid wherever practicable discharges to surface water bodies" by aerial topdressing pilots.
- 4.13.4 The submitters oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. The submitter's support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.
- 4.13.5 The submitter opposes rule 89 and seeks for it to be amended to allow for a refuse up to 100m<sup>3</sup> in size. The submitter seeks that Rule 89 (c)(ii) be deleted; that rule 89(d)(i) be deleted; that rule 89(e) be deleted; that Rule 89(h) be deleted; and that Rule 49(i) be deleted.

- 4.13.6 The submitters oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. The submitters oppose the activity status of 'discretionary' for any non-compliance and state that at the most any activity not complying should be 'controlled.' The submitter would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.
- 4.13.7 The submitters oppose Rule 97 and the definition of diary cows. The submitters support an amendment to the definition of diary cows to "exclude all 'dry and grazing' dairy cows." So that grazing dry dairy cows do not trigger the requirement to fence rivers with an active bed wider than 1m in the hill-country.
- 4.13.8 The submitters oppose Rule 100 and the definition of 'vegetation clearance.' The submitters support amending the definition of vegetation clearance to exclude production forest harvesting.
- 4.13.9 The submitter opposes all provisions relating to drain clearance. The Submitter supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; the Submitters support provisions that provide for best practice when returning fish and koura to drains if they have been removed during the clearance process; the Submitters support the removal of woody debris from drains.
- 4.13.10 The submitters opposes all provisions relating to earthworks and control of stormwater where it comes from an area of earthworks. The submitters opposes Rule 48 and seeks that it be deleted.
- 4.13.11 The submitter opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to "exclude" the construction of "new" farm and "forestry" tracks.

The submitter supports a new permitted activity rule for new farm and forestry tracks as follows:

*"New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –*

- (a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;*
- (b) earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained*
- (c) work areas are stabilised within six months after the completion of the works*
- (d) any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –*
  - a. the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or*
  - b. any conspicuous change in colour or visual clarity, or*
  - c. any emission or objectionable odour, or*
  - d. the rendering of fresh water unsuitable for consumption by animals, or*
  - e. any significant adverse effect on aquatic life."*

4.13.12 The submitters oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).

4.13.13 The submitter opposes the definition of 'erosion prone land' as set out in Chapter 2 of the Proposed Regional Plan and seeks for it to be amended as follows:

*Erosion Prone Land*

*The pre-existing slope of the land exceeds 20 28 degrees*

4.13.14 The submitter opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. The submitter supports Rule 101 being a *restricted discretionary activity* where Council's discretion is limited to management of sediment from construction and long term effects from the earthworks.

## 5.0 WATER QUANTITY & WATER ALLOCATION

5.1 The Submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitter supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

The submitter supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason the submitter opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

### 5.3 Relief Sought

- 5.3.1 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional Plans until such time that the Whaitua process identifies which waterbodies have been over-allocated.

## 6.0 AIR QUALITY

- 6.1 The submitter opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitter opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

The submitters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are “likely to be directly affected by the discharge” or owners and occupiers of properties who “request a copy.” The latter provision could mean that people not even affected could request a copy of a spray plan. Furthermore, what does it mean to be ‘directly affected?’ Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

The submitters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. The submitters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis the submitter questions whether Rule 36 (i) is relevant at all.

### 6.2 Relief Sought

- 6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

- (g) *the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and*
- (i) *identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Section 5.3 and appendix M4, and*
- (ii) *notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*

*(iii) gain written agreement from adjoining neighbours that notification is not required, and*

*(iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the discharge or likely to be directly affected by the discharge, or requests a copy, and*

*(h) ...*

*(i) ~~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~~*

## 7.0 BIODIVERSITY

7.1 The submittor opposes requirements to 'restore' ecosystems and habitats with significant indigneous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigneous biodiersity and habitats with significant indigenous fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

7.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

### 7.3 Relief Sought

7.3.1 The submitor opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

*Policy P40: Ecosystems and habitats with significant indigenou biodiversity values*

*"Protect, and where possible restore over time, the following ecosystems and habitats with significant indigenou biodiversity values:*

- (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes);
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);
- (d) the ecosystems and habitat types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats)."

7.3.2 The submitter opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

*Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values*

*"In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:*

- ~~(a) maintain ecological connections within and between those habitats, or~~
- ~~(b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and~~
- ~~(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and~~
- ~~(d) avoid cumulative adverse effects on, and the incremental loss of the values of those ecosystems and habitats."~~

## 8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council's a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likely, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

## 8.2 Relieft Sought

- 8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

### *Objective O9*

*"The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time."*

### *Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time."*

### *Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time."*

### *Policy P3: Precautionary Approach*

*Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the risk of adverse effects the activity may have on this environment may be both high and likely to occur.*

### *Objective O47*

*"The amount of sediment-laden runoff entering water is reduced over time."*

### *Policy P20: Exercise of Kaitiakitanga*

*"Kaitiakitanga shall be recognised and provided for by:*

- (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 Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

### *Policy P35 Restoring fish passage*

*"The passage of indigenous fish and koura shall be restored, over time, where this is appropriate for the management and protection of indigenous fish and koura populations."*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."*

## 9.0 LANDSCAPES

9.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitter supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. The submitter would support the consideration of special amenity landscape values, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.

9.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

### 9.3 Relief Sought

9.3.1 The submitter opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

~~*Objective O38*~~

~~*"Identified special amenity landscape values are maintained or enhanced."*~~

~~*Policy P49: use and development adjacent to outstanding natural features and landscapes and special amenity landscapes*~~

~~*"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:*~~

~~*(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and*~~



*(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.”*

## 10. BEDS OF LAKES AND RIVERS

- 10.1 The submitters oppose the rules relating to river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.
- 10.2 The submitters also oppose Rule 114(g) which limits formed crossings to 20m<sup>2</sup> as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.
- 10.3 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place
- 10.4 Relief Sought
- 10.4.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.
- 10.4.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.



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Proposed Natural Resources Plan:

Submitter:

**Becky Lasenby**

Submitter Number:

**S296**



**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**

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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): R198 Driving along the beach at Seaview Road Paremata	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 recently found out that the council is proposing to amend the Natural resources plan in a manner which will significantly affect access to my residence in Seaview Raod. I oppose the current proposal to amend the plan and make driving along the beach I currently have a resource consent to make a small number of planned trips to and from my house along the beach – this was an expensive and difficult process to go through.

		<p>I have lived along the beach all my life and when I first purchased my house many years ago there was no restriction to driving along the beach. If there had been it may have affected my decision to purchase the property as access is extremely limited and difficult. One of the trips I had planned this year is on Xmas day – my father is 84 years old with double hip replacements and poor health. He also lived for many years along this strip of the beach and loves it. Unfortunately due to health reasons he moved into town but is very happy that I still live, with his granddaughters on the beach. He would like to come for Xmas lunch and spend some time in the place he has loved and written about for many years. He walks with difficulty with a walking stick. He is not able to clamber up and down steps nor is he able to get in and out of a boat or try and navigate the rocky shore. The only way he can realistically come to our house is if I drive him along the beach. The rule change that the council is proposing will mean that my father will never be able to come and spend time in an area he has spent so much of his life and which is so important to him. He has not been out to my house for many months and Xmas was going to be a family time. I consider the change completely unreasonable – the current status quo (restricted discretionary activity) already makes access to our homes very difficult. There is no need to prohibit it.</p> <p>Having grown up all my life (40 years plus) along this precious piece of beach I am well aware of the environmental damage that has occurred and its NOT been from driving along the beach but rather the filth and muck that has run off since Whitby was built. Over many many years the sandbanks have been raised in the harbour so that the Easter Regatta Yachting has stopped and moved to other places. I think there are far more important environmental issues the Council should be focusing on rather than prohibiting a small number of carefully monitored trips along the beach to access our properties..</p> <p>I am also very disappointed at the process that the Council has followed regarding the proposed change to the rule. As the rule significantly and adversely affects my rights to my property I consider that if the Council was acting transparently it should have notified me of its intentions and it did not. I think its process is has not been transparent or robust.</p> <p>I have also made a joint submission with fellow residents but felt it was important to point out the affect the proposed rule change will have on community and by that I mean families. I was always brought up to care for this beautiful inlet and think that the Council needs to start consulting with the community about how best to mitigate adverse effects on it – ie stop the silting up of the harbour.</p>
	<p>I seek the following decision from WRC (give precise details): →</p>	<p>In my opinion the Council should keep driving along the beach as a discretionary activity - this allows for the careful and small amount of access for residents.</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 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: →	
	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): →	

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):	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): →	

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Proposed Natural Resources Plan:

Submitter:

**Kennott Family Trust**

Submitter Number:

**S297**





## Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation  
Clause 6 of Schedule 1, Resource Management Act 1991

To: Greater Wellington Regional Council

This submission has been prepared on behalf of Kennott Family Trust Ltd in relation 264 Taylors Road, Otaki

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

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

The specific provisions of the proposal that this submission relates to are set out in Parts 2 through to 10 of this submission

The submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission.

The submitters wishes to be heard in support of their submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to be "Anna Carter", written over a horizontal line.

Anna Carter  
Person authorised to sign  
on behalf of submitter

Date 23 October 2015

Address for service of submitter: c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki  
Telephone: 06 364 9147 (DDI)  
Email: anna@landmattersnz.com  
Contact person: Anna Carter – Senior Resource Management Consultant  
Land Matters Ltd

## 1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters has in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

## 2.0 SUBMITTER'S PROPERTY

- 2.1 The property at 264 Taylors Road, Otaki as shown on the attached aerial is 46.3 hectares
- 2.2 The property is rolling pasture. The property contains a dwelling and the occupants manage the property for grazing and for its amenity. There is an unnamed stream that flows through the southern part of the property which is part of the Waitohu water catchment. This watercourse feeds a wetland which is partially within the owner's property. The owners also have frontage to Waimanguru Lagoon also known as Forest Lake which is identified as a significant natural wetland.
- 2.3 The submitters have specific concerns about how the PROPOSED Regional Plan provisions will affect the day-to-day operations on their property; future use of the property and the practicality and/or necessity of imposing certain provisions.
- 2.4 The owner opposes all provisions relating to the management of wetlands – both natural and significant wetlands. The submitters are concerned about the Proposed Regional Plan severely restricting their ability to undertake pest plant and weed control within the wetland on their property. The specific submissions and relief sought in relation to this issue are detailed in paragraph 3 through to 10 below.

## GENERAL SUBMISSIONS

### 3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HEIRARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water quality provisions and in particular the non-compulsory values that may be included as provided

for under the NPS-FW. Instead, the Proposed Regional Plan includes catch-all objectives and policies, which are unlikely to have met the Section 32 tests of being efficient and effective having had regard to all alternatives. The submittor oppose this generic approach and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify “values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first



seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.

- 3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government. Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan. Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongs the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapore is noted as having ‘Fair’ water quality and the Mangaone Estuary as having ‘Fair’ recreational grade)*
- *Waitohu Stream hill country has ‘Excellent’ water quality*
- *Otaki River mid section has ‘Excellent’ water quality and ‘Very Good’ recreational grade*
- *Inland Waikanae River has ‘Good’ water quality and ‘Excellent’ water quality in the lower reaches with ‘Good’ recreational grade*

According to Section 32 Report ‘*Ki Uta ki Tai*,’ information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - “*GW does not have sufficient*

information to establish water quality limits across the region as required by the NPS – FW ..." (Paragraph 3.2.6).

- 3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

*S.6 Matters of National Importance*

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

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

Section 6(g) of the Act states that protection of customary rights (i.e. *Mahinga kai* as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to "protected customary rights." The Marine and Coastal Area (Takutai Moana) Act

2011 defines 'protected customary right' as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840<sup>1</sup>.

- 3.6 The submitter seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitter supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, "Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater" as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

### 3.9 Relief Sought

- 3.9.1 The submitters oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whaitua committee process. Such provisions are likely to be considered ultra vires as a submitter can not consider the effects of variations before they have been adopted. Furthermore, all notes relating to the Whaitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation is granted and at that time any planning provision would become apparent. The provisions that should be deleted included, but are not limited to:

*Policy P63: Improving water quality for contact recreation and maori customary use*

...

*Note: Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whaitua. These may be incorporated into the Plan by a future plan change or variation."*

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<sup>1</sup> Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

*Policy 65: Minimising effects of nutrient discharges*

*"The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:*

- (a) good management practices; and*
- (b) information gathering, monitoring, assessment and reporting, and*
- (c) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and*
- (d) regulatory and non-regulatory methods, and*
- (e) ~~plan changes or variations resulting from catchment-specific recommendations from the Whaitua committee process.~~"*

- 3.9.2 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

*Schedule H1 and Rivers shown on Map 20:* In line with the principle that the Whaitua process should determine the non-compulsory values, the submitter also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

*Objective 05*

*"Fresh water bodies and the coastal marine area, as a minimum, are managed to:*

- (a) safeguard aquatic ecosystem health ~~and mahinga kai;~~*
- (b) provide for ~~contact recreation~~ secondary recreational contact and/or provision of potable water and Maori customary use, and*
- (c) in the case of fresh water, provide for ~~the health needs of people~~ secondary recreational contact and/or provision of potable water\* (\* would require a new definition for 'secondary recreational contact')"*

*Objective 24*

*"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation fresh water bodies are suitable for contact recreation ~~contact recreation and Maori customary use,~~ including by:*

- (a) maintaining water quality; or*
- (b) improving water quality in*
  - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and*

- ii. *all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contract recreation objectives in Table 3.2."*

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20"

Objective O25

*"To safeguard aquatic ecosystem health ~~mahinga kai~~ in fresh water bodies and coastal marine area:*

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and mahinga kai~~, and*
- (b) restoration of aquatic ecosystem health ~~and mahinga kai~~ is encouraged over time\* (\* refer paragraph 8.0 of this submission), and*
- (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"*

Policy P10: Contact recreation and Maori customary use

*"The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, in fresh and coastal water. ~~including by:~~*

- ~~(a) providing water quality and, in rivers, flows suitable for the community's objectives for contact recreation and Maori customary use~~*
- ~~(b) managing activities to maintain or enhance 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~~*
- ~~(c) encouraging improved access to suitable swimming locations, and~~*
- ~~(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area~~*

Policy P31: Aquatic ecosystem health ~~and mahinga kai~~

*"Aquatic ecosystem health ~~and mahinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:*

- (a) minimise limit adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and*
- (b) minimise limit 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*
- (c) minimise limit adverse effects on habitats that are important to the life cycle and survival of aquatic species, and*
- (d) minimise limit adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and*

- (e) ~~avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) ~~minimise limit adverse effects on established riparian habitats and restore them where practicable, and~~
- (g) ~~avoid the introduction, and restrict the spread of, aquatic pest plants and animals."~~

*Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai*

*"Significant adverse effects on aquatic ecosystem health and mahinga kai shall be managed. by:*

- ~~(a) avoiding significant adverse effects; (see comments in next section under 'Water Quality')~~
- ~~(b) where significant adverse effects cannot be avoided, remedying them, and~~
- ~~(c) where significant adverse effects cannot be remedied, mitigating them, and~~
- (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.*

*Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)"*

*Policy P62: Promoting discharges to land*

*"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) secondary recreational contact and/or provision of potable water\* contact recreation and Maori customary use."*

*Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai*

*"Where an objective in Table 3.4, Table 3.5, or Table 3.8\* of Objective O25 is not met, point source discharges to water shall be managed in the following way ...."*

*\*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.*

3.9.3 The submitter opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. The submitter opposes any "mitigation hierarchy" including the reference in Schedule G. The submitter opposes the attempt to define "minimisation of adverse effects" under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions the submitters oppose include, but are not limited to the following:

~~Objective O19~~

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

*Policy P4: Minimising adverse effects*

*"Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practical 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) where possible, 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 small as practicable."*

*Policy P26: Natural processes*

*"Use and development will be managed to ~~minimise~~<sup>\*</sup> limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes." The submittor opposes the use of the word "minimises with the current definition as set out in Policy 4 above but would support an amended Policy P4.*

- 3.9.4 The submittors oppose any provisions which impose additional restrictions on adjoining land on the basis that they are "buffers" or provide "connections" between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

*Objective O28*

*The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.*

*Policy P30: Natural buffers*

*~~The adverse effects of Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.~~*

- 3.9.5 The submittors oppose any provisions which require 'restoration' and/or 'enhancement. Submitters are seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

*Objective O3*

*Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"*

*Objective O9*

*"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."*

*Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."*

*Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."*

*Objective O28*

*"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."*

*Objective O29*

*"use and development provides for the passage of fish and koura and where possible/identified the passage of indigneous fish and koura is restored over time."*

*Objective O30*

*"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."*

*Objective O33*

*~~"Sites with Significant Values"~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."* Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.

*Objective O35*

*"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."*

*Objective O38*

*"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."*

*Policy P17: Mauri*

*"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:*  
*(a) managing the individual and cumulative effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and*  
*(b) providing for activities that sustain and where possible/identified enhance mauri over time*  
*(c) recognising the role of kaitiaki in sustaining mauri"*

*Policy P38: Restoration of wetlands*



*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."*

*P44: Protection and restoration of sites with significant mana whenua values*

*"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored.~~*

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 The submitters supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

*Objective O33*

*~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."*

*~~Policy P44: Protection and restoration of sites with significant mana whenua values~~*

*~~"Sites with significant mana whenua values shall be identified in Schedule C (mana whenua) shall be protected and/or restored"~~*

*Policy P45: Managing adverse effects on sites with significant mana whenua values*

*~~"in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should be avoided.~~*

*~~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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori. as recommended in the cultural impact assessment by:~~*

- ~~(a) avoiding more than minor adverse effects, and~~*
- ~~(b) where more than minor adverse effects cannot be avoided, remedying them, and~~*
- ~~(c) where more than minor adverse effects cannot be remedied, mitigating them, and~~*
- ~~(d) receiving written consent of the iwi authority.~~*

*~~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."~~

3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *"Mahinga kai" - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *"Mahinga kai – kei te ora te mauri" - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *"Mahinga kai fishing" – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption."*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

#### 4.1 WATER QUALITY

4.1 The submitters recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, the submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment's water quality should be improved or not.

The wording of the NPS-FW is to *"to maintain or improve the overall quality of freshwater within a region."* The Land and Water Forum working on the wording on the NPS-FW recommended

that “*maintain*” means staying within the same band and “*improve*” means moving to a higher band<sup>2</sup>. To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs). In the Wellington Region this is being done through the Whaitua process.

- 4.3 The submitters oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. The submitters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.4 The submitters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. The submitters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.5 The submitters oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. The submitters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submitter considers that the provision in Rule 94(c) that “*sediment laden surface water resulting from cultivation does not flow to a surface water body*” is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. The submitter would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.
- 4.6 The submitters oppose the inclusion of the significant natural wetland on their property in Schedule F3 of the Regional Plan. The submitters oppose the onerous provisions in the Proposed Regional Plan that would prevent them from undertaking their own restoration activities within this wetland without first having to obtain a resource consent. The potential costs of complying with the new provisions of the Proposed Regional Plan make restoration of the wetland prohibitive. The submitters consider that these new provisions will have the effect of increasing pest plant and animals in the environment. The section 32 reports on these provisions are in adequate in that they do not weigh up the costs and benefits fairly.

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<sup>2</sup> Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,

4.7 The submitters oppose the provisions relating to maintenance of drains. The submitters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. The submitters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead the submitters would support a 'best practice provision' which states, 'where possible, all fish and koura should be returned to the drain.' The submitters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

#### 4.8 Relief Sought

4.8.1 The submitter seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.

4.8.2 The submitter's oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. The submitter supports changes to the provisions that provide instead for "best practice" and "to avoid wherever practicable discharges to surface water bodies" by aerial topdressing pilots.

4.8.3 The submitters oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. The submitter's support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.

4.8.5 The submitters oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. The submitters oppose the activity status of 'discretionary' for any non-compliance and state that at the most any activity not complying should be 'controlled.' The submitter would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.

4.8.6 The submitters oppose the inclusion of the significant natural wetland on their property in Schedule F.3 of the Regional Plan.

The submitters oppose the definition of "natural wetlands". The submitter supports amending the definition to exclude areas of land that might contain a large number of rushes; and/or another type of wetland type species but no other wetland indicator species.

The submitters oppose all provisions relating to wetlands in general including Rules 5.5.2, Rule R104, R105, R106, R107, R108, R109, R110 and R111.

The submitter's support the following amendments being made, but are not limited to, the following:

*"Natural Wetland*

*...*

*"Natural wetlands do not include:*

*(a) damp gully heads, or wetted pasture, or pasture predominantly containing with patches of rushes or pastures predominantly containing one wetland species having no other wetland indicator species...."*

*Rule 104: Structures in natural wetlands and significant natural wetlands – permitted activity*

*"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:*

- (a) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (b) deposition in, on or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and*
- (c) diversion of water, and*
- (d) discharge of sediment to water*

*is a permitted activity, provided the following conditions are met:*

- ~~(e) only hand-held machinery is used in any area of the natural wetland, and~~*
- (f) the activity shall comply with the wetland general conditions for activity in natural wetlands, significant natural wetlands and outstanding natural wetlands specified above in Section 5.5.2"*

*Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity*

*"The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a natural wetland, significant natural wetland, or outstanding natural wetland including any associated:*

- (a) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and*
- (c) damage to part of the foreshore or seabed that forms part of a natural wetland, and*
- (d) diversion of water, and*
- (e) discharge of sediment to water*

*is a permitted activity provided the following conditions are met:*

- (f) only appropriate indigenous wetland species are deliberately introduced or planted, and*
- (g) only appropriate pest plant species are deliberately removed or controlled, and*
- (h) only agrichemicals approved by the Environmental Protection Authority are used, and*
- ~~(i) agrichemicals are not applied by aerial spraying, and~~*
- ~~(j) only hand-held machinery is used in any area of the wetland, and~~*
- (k) 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"*

- 4.8.7 The submitter opposes all provisions relating to drain clearance. The Submitter supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; the Submitters support provisions that provide for best practice when returning fish and koura to drains if they have been removed during the clearance process; the Submitters support the removal of woody debris from drains.

## 5.0 WATER QUANTITY & WATER ALLOCATION

- 5.1 The Submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:

1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitter supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

The submitter supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason the submitter opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

- 5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.
- 5.3 The submitter's oppose the restrictions to prevent water takes where the water is within 50m of a natural wetland (noting that the submitter reserves their right to withdraw this objection should the criteria for natural wetlands be amended).
- 5.4 Relief Sought
- 5.4.1 As noted above in paragraph 4, the submitters oppose the definition of natural wetlands and all rules relating to wetlands and seeks the relief as set out in paragraph 4.0 above.
- 5.4.2 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional

Plans until such time that the Whaitua process identifies which waterbodies have been over-allocated.

## 6.0 AIR QUALITY

6.1 The submitter opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitter opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

The submitters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are “likely to be directly affected by the discharge” or owners and occupiers of properties who “request a copy.” The latter provision could mean that people not even affected could request a copy of a spray plan. Furthermore, what does it mean to be ‘directly affected?’ Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

The submitters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. The submitters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis the submitter questions whether Rule 36 (i) is relevant at all.

## 6.2 Relief Sought

6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

*(g) the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and*

*(i) identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Seciton 5.3 and appendix M4, and*

*(ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*

*(iii) gain written agreement from adjoining neighbours that notification is not required, and*

*(iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the discharge or likely to be directly affected by the discharge, or requests a copy, and*

*(h) ...*

*(i) ~~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~~*

## 7.0 BIODIVERSITY

7.1 The submittor opposes requirements to 'restore' ecosystems and habitats with significant indigneous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigneous biodiersity and habitats with significant indigenou fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

7.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

### 7.3 Relief Sought

7.3.1 The submitor opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

*Policy P40: Ecosystems and habitats with significant indigenous biodiversity values*

*"Protect, and where possible restore over time, the following ecosystems and habitats with significant indigenous biodiversity values:*



- (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes);*
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and*
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);*
- (d) the ecosystems and habitat types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats)."*

7.3.2 The submitter opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

*Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values*

*"In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:*

- ~~*(a) maintain ecological connections within and between those habitats, or*~~
- ~~*(b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and*~~
- ~~*(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and*~~
- (d) avoid cumulative adverse effects on, and the incremental loss of the values of those ecosystems and habitats."*

## 8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council's a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likely, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

## 8.2 Relieft Sought

- 8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

### *Objective O9*

*"The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time."*

### *Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time."*

### *Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time."*

### *Policy P3: Precautionary Approach*

*Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the risk of adverse effects the activity may have on this environment may be both high and likely to occur.*

### *Objective O47*

*"The amount of sediment-laden runoff entering water is reduced over time."*

### *Policy P20: Exercise of Kaitiakitanga*

*"Kaitiakitanga shall be recognised and provided for by:*

- (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 Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

### *Policy P35 Restoring fish passage*

*“The passage of indigenous fish and koura shall be restored, over time, where this is appropriate for the management and protection of indigenous fish and koura populations.”*

*Policy P38: Restoration of wetlands*

*“The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government.”*

## 9.0 LANDSCAPES

9.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitter supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. The submitter would support the consideration of special amenity landscape *values*, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.

9.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

### 9.3 Relief Sought

9.3.1 The submitter opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

~~*Objective O38*~~

~~*“Identified special amenity landscape values are maintained or enhanced.”*~~

~~*Policy P49: use and development adjacent to outstanding natural features and landscapes and special amenity landscapes*~~

~~*“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:*~~

- (a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and*
- (b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.”*

## 10. BEDS OF LAKES AND RIVERS

- 10.1 The submitters oppose the rules relating to river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.
- 10.2 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

### 10.3 Relief Sought

- 10.3.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.
- 10.3.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.





1:10000



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Proposed Natural Resources Plan:

Submitter:

**A McKay**

Submitter Number:

**S298**





S298

#1530037

Wellington Regional Council

21 OCT 2015

COUNCIL

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 2015

WELLINGTON REGIONAL COUNCIL

RECEIVED

Name	A.T. MCKAY	20 OCT 2015
Farm Name	WAIPAPA.	RECEIVED
Physical Address	1390 TE WHITI ROAD	R.D.4. MASTERTON
Phone Number	06-3727867	
Email Address	tomjoe mckay@wise.net.nz	

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

Support: I support Wairarapa Federated Farmers submission

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

Farm Type	e.g. Sheep, Beef, Arable, Dairy, agricultural business
Farm size (area)	112 hectares
Main Waterways	Tauere River. Boundary.
GW Soil plan or Farm Plan	Yes No
Environmental investments	nil
QE2 or Retirement Blocks	nil
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?*

If stock don't have access to grass verges near drains, vegetation will takeover + be overgrown.  
Some drains need to be cleaned over the years, to remove rushes, debris, + weeds.

**WETLANDS**

**Specific Provisions that my submission relates to are:** N.A.

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

The loss of cultivatable land for cash cropping will leave 5 metres of overgrown grass, especially in my situation, there will be very little, if any water in these drains in late spring, summer, & autumn, Unless you get a huge thunderstorm. If renewing pasture which is poor, what's the point 5 metres being left out.

## 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

Some drains accumulate excess gravel or metal from neighbouring farms in the upper reaches which scour out in very heavy rain. This needs to be removed at times. Sometimes broken branches of trees tend to block up the drains.



## **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.*

## 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?

All stormwater eventually leads to an outlet to a river entering Lake Wairarapa. via Stream from the top of the Admiral Rd, that eventually enters the Ruamahunga River south of the Ghadstone Hotel.

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

All the gullies that run through my property are dry for a 10 months of the year. They only flow when there <sup>is</sup> excessive rain or downpours in the Maungaraki Hills in the winter or early spr. I have found it would be impractical to double fence some areas. A few pools of water are found in some instances after floodwaters recede & eventually dry up or seep through the ground. The small area of the Teueru River that I boundary is mainly fenced off with a hot wire when cattle are grazing nearby.

Proposed Natural Resources Plan:

Submitter:

**Julian and Ruth Blackett**

Submitter Number:

**S299**







## Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation  
*Clause 6 of Schedule 1, Resource Management Act 1991*

To: Greater Wellington Regional Council

This submission has been prepared on behalf of Julian and Ruth Blackett in relation to 235 Akatrara Road, Reikorangi, Kapiti Coast.

This is a submission on the following proposed plan: Proposed Natural Resources Plan for the Wellington Region.

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

The specific provisions of the proposal that this submission relates to are set out in

My submission opposing or supporting provisions is set out in Parts 2 through to 10 of this submission.

The submission seeks relief from the Regional Council as set out in Parts 2 through to 10 of this submission.

The submitters wishes to be heard in support of my submission.

If others make a similar submission, the submitters would consider presenting a joint case with them at a hearing.

A handwritten signature in black ink, appearing to be "Julian Blackett", written over a horizontal line.

Signature of  
person authorised to sign  
on behalf of submitter

Date 23 October 2015

Address for service of submitter:	c/- Land Matters Ltd, 20 Addington Road, RD1, Otaki
Telephone:	06 364 9147 (DDI)
Email:	anna@landmattersnz.com
Contact person:	Anna Carter – Senior Resource Management Consultant Land Matters Ltd

## 1. BACKGROUND

- 1.1 Land Matters Ltd specialises in environmental management and is based on the Kapiti Coast.
- 1.2 This submission addresses specific concerns the submitters has in respect of their property as well as general comments in respect of the policy direction and process adopted by the PROPOSED Regional Plan.

## 2.0 SUBMITTER'S PROPERTY

- 2.1 The property at 235 Akatarawa Road, Reikorangi is legally described as Lot 1 DP 77455 and is 27.3870 ha in size. It is located on the north-eastern side of the Akatara Road in the Reikorangi Valley. Part of the property contains the headwaters for the Rangiora River which forms part of the headwaters to the Waikanae River.
- 2.2 The general operations on the property include [day-to-day operations]. Ruth and Julian Blackett have specific concerns about how the DRAFT Regional Plan provisions will affect the day-to-day operations on their property and the practicality and/or necessity of imposing certain provisions.
- 2.3 The submitter's property contains part of the Rangiora River over their property. This river discharges into the Waikanae River. The river over the submitter's property contains a 100m buffer on either side which is identified as a "community drinking water supply protection area." The submitters are concerned about the potential effects of rules relating to new on-site effluent disposal systems being a discretionary activity. The submitters are also concerned about rules relating to aerial top-dressing; rules relating to removal of production forests (they have a shelter belt of trees which extends for some length); rules relating to fencing off waterbodies for small numbers of cattle. The submitters concerns about these matters are addressed in the paragraphs below.

## GENERAL SUBMISSIONS

### 3.0 COMPULSORY AND NON-COMPULSORY VALUES OF THE NPS-FW, MAHINGA KAI PROVISIONS AND CUSTOMARY RIGHTS, MITIGATION HEIRARCHY AND MINIMISATION OF EFFECTS, IMPROVING OR ENHANCING THE ENVIRONMENT

- 3.1 The methodology adopted by Greater Wellington Regional Council in notifying the Proposed Regional Plan was that it would be undertaken in two stages. The first stage involved development of region wide provisions giving effect to the Regional Council's obligations under the Resource Management Act (the "Act"), the Regional Policy Statement (the "RPS") and the National Policy Statement on Freshwater (the "NPS-FW"). The second stage was to follow the Whaitua process which would look at water quantity provisions on a catchment basis.

The submitters oppose the methodology adopted by the Proposed Regional Plan which provides for the Whaitua process to only considering water quantity provisions and not consider water

quality provisions and in particular the non-compulsory values that may be included as provided for under the NPS-FW. Instead, the Proposed Regional Plan includes catch-all objectives and policies, which are unlikely to have met the Section 32 tests of being efficient and effective having had regard to all alternatives. The submitter oppose this generic approach and the adoption of region-wide objectives and policies prior to undertaking the Whaitua process.

3.2 The submitters oppose those provisions in the Regional Plan that incorporate the non-compulsory values set out under the National Policy Statement for Freshwater (NPS-FW). The NPS-FW requires Councils to identify “values for each waterbody in each region and in the first instance apply the compulsory values of:

- Te Hauora o te Wai/The health and mauri of water – that the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer); and
- Te Hauora o te Tangata/The health and mauri of people – that as a minimum, the freshwater management unit will present no more than a moderate risk of infection to people when they are wading or boating or involved in similar activities that involve only occasional immersion in the water.

Then the NPS-FW states that a Regional Council may choose to include other additional values which are not compulsory being:

- Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater;
- Mahinga kai/food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;
- Mahinga kai – kei te ora te mauri/the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);
- Mahinga kai – fishing – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.

The submitters are opposed to all those provisions in the proposed Regional Plan that give effect to non-compulsory values of protecting the quality of water resources. The submitters support a process for considering whether non-complying values be included in the Regional Plan through the Whaitua process and then if necessary/appropriate through a variation to the Regional Plan.

The Whaitua process has yet to commence on the Kapiti Coast and it should be through that process that determines whether the Regional Plan contains provisions that give effect to the non-compulsory values. Those values relate to whether resource users within a particular freshwater management unit (which under the Regional Plan propose to be catchments) protect and/or enhance water quality for mahinga kai values and primary contact recreational values.

- 3.3 When including provisions requiring management of adverse effects on aquatic ecosystems (i.e. the compulsory values), the submitters oppose any adherence to a mitigation hierarchy (i.e. first seek to avoid, then to remedy and then to mitigate) through provisions in the Proposed Regional Plan. The Plan is not the best place to make this decision as all decisions on whether to avoid, remedy or mitigate adverse effects need to be undertaken on a case by case basis depending on the receiving environment, the proposal at hand, the construction technology/methodology used etc. Likewise the submitters oppose any attempt to define “minimisation of effects” as the Proposed Regional Plan’s attempt to do this places undue restrictions on the assessment of effects before an application has even been lodged.
- 3.4 The submitters oppose all provisions that require in the first instance, with reflection on the wider priorities, the environment to be “restored” or “enhanced” where those provisions are located outside the coastal environment. The submitters question the Section 32 analysis in requiring restoration and/or enhancement across the entire region. The costs of doing this work in the manner proposed by the Proposed Regional Plan will be excessive and mainly fall on the resource user when the benefits of restoration and enhancement will extend to the wider community, iwi and local government. Restoration and enhancement should only be included in a regional plan as required under the NPS-FS and that is where waterbodies have been over-allocated to the point of exhaustion and as required under the New Zealand Coastal Policy Statement. For all other habitats, restoration and enhancement should only be considered on a site by site, catchment by catchment basis (possibly through the Whaitua process) and then through a variation to the Regional Plan. Costs for undertaking restoration and enhancement should not solely fall on the resource user or landowner. Likewise the submitters oppose any requirement to extend protected sites by the inclusion of buffers or through ‘connections’ etc. Sites suitable for restoration and/or enhancement must be able to be identified in a regional plan, costs should be fairly distributed amongs the beneficiaries, and timeframes should be reasonable (Objective O25 and Policy P63 are examples of how such provisions should work). In all other areas/locations the regional plan should be looking to manage effects to maintain those environments.

Furthermore, the submitters are concerned that the provisions of the Proposed Regional Plan are adopting a region-wide planning approach targetting the worst case scenario waterbodies (typically on the east coast) when the waterbodies on the Kapiti Coast are generally identified as being of good quality and stable and do not require the same sort of treatment. According to the State of the Environment Report, the waterbodies on the Kapiti Coast are:

- *Largely remained stable*
- *Larger rivers are in good health where they flow out of forested ranges*
- *Water Quality and ecological health are degraded in small lowland coastal streams such as the Mangapouri, Mangaone & Whareroa Streams (noting it is not the entire stream that is degraded and the coastal inlet at Mangapouri is noted as having ‘Fair’ water quality and the Mangaone Estuary as having ‘Fair’ recreational grade)*
- *Waitohu Stream hill country has ‘Excellent’ water quality*
- *Otaki River mid section has ‘Excellent’ water quality and ‘Very Good’ recreational grade*
- *Inland Waikanae River has ‘Good’ water quality and ‘Excellent’ water quality in the lower reaches with ‘Good’ recreational grade*

According to Section 32 Report 'Ki Uta ki Tai,' information on water quality will only be available for the *Whaitua* Committees under Stage II of the plan process - "GW does not have sufficient information to establish water quality limits across the region as required by the NPS – FW ..." (Paragraph 3.2.6).

- 3.5 The submitters oppose all provisions relating to *mahinga kai* as currently worded and also oppose the definition of *mahinga kai* in the Proposed Regional Plan. Firstly, the submitters consider that the reference to *mahinga kai* and gathering of food in general is not a compulsory value as defined by the NPS-FW and therefore does not automatically need to be included in the Regional Plan.

Secondly the submitters note that the NPS-FW provides for a wider application of *mahinga kai* to be considered in a regional plan not just for the purpose of the cultural harvesting of food (refer paragraph 3.1 above).

Thirdly, the submitters consider the protection of *mahinga kai* across the entire region (defined in the Proposed Regional Plan as the the "customary" gathering of food) is too broad in that it goes beyond what is required under Section 6 of the Resource Management Act ("the Act") in respect of protecting "protected" customary rights and/or providing for Maori's relationship to their ancestral lands, water, sites, wahi tapu and other taonga. Section 6 reads:

*S.6 Matters of National Importance*

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

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

Section 6(g) of the Act states that protection of customary rights (i.e. Mahinga kai as defined in the Proposed Regional Plan meets the definition of customary rights) is only compulsory in relation to “protected customary rights.” The Marine and Coastal Area (Takutai Moana) Act 2011 defines ‘protected customary right’ as an activity, use or practice established under the Act and recognised by a protected customary rights order or an agreement. Protected customary rights orders can be granted over a specified part of the common marine and coastal area. Such orders recognise a particular activity, use or practice which has been exercised since 1840<sup>1</sup>.

- 3.6 The submitter seeks that Proposed Regional Plan define protected customary rights (including mahinga kai) and protect those protected customary rights as set out in section 6(g) of the Act.
- 3.7 The submitter supports those provisions (e.g. O14, O15 and O16) in the Proposed Regional Plan that recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga including providing for the customary gathering of food within mana whenua sites. The submitters oppose the significant restrictions placed on mana whenua sites and in particular the potential prohibition of an activity within those sites. If the Regional Plan is to prohibit an activity it must list that activity in its plan and not rely on a third party advisor (i.e. a cultural impact assessment provided by an iwi authority) as that is likely to be ultra vires. A Regional Plan can not require as a policy or rule that a resource user obtain the written approval of a third party – provisions for requiring affected party approvals are set out in the Act. The submitters opposes any provisions in the Proposed Regional Plan that requires third party approvals.
- 3.8 The submitters opposes any provisions in the Proposed Regional Plan that seek to protect, maintain or enhance sites that would come under the NPS-FW definition of, “Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character* – where people value particular natural qualities of the freshwater” as this is a non-compulsory value and the inclusion of provisions providing for it in the Regional Plan should be determined through the Whaitua process and if appropriate provisions only included as a variation to the Regional Plan.

### 3.9 Relief Sought

- 3.9.1 The submitters oppose all provisions in the Proposed Regional Plan that seek to adopt plan changes and/or variations from the whaitua committee process. Such provisions are likely to be considered ultra vires as a submitter can not consider the effects of variations before they have been adopted. Furthermore, all notes relating to the Whaitua process should be removed from the Proposed Regional Plan as they are not relevant and will only become relevant if and when a variation is granted and at that time any planning provision would become apparent. The provisions that should be deleted included, but are not limited to:

*Policy P63: Improving water quality for contact recreation and maori customary use*

...

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<sup>1</sup> Source: <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

~~Note: Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whaitua. These may be incorporated into the Plan by a future plan change or variation."~~

Policy 65: Minimising effects of nutrient discharges

~~"The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:~~

- ~~(a) good management practices; and~~
- ~~(b) information gathering, monitoring, assessment and reporting, and~~
- ~~(c) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and~~
- ~~(d) regulatory and non-regulatory methods, and~~
- ~~(e) plan changes or variations resulting from catchment specific recommendations from the Whaitua committee process."~~

- 3.9.2 That any provisions in the Proposed Regional Plan giving effect to the non-compulsory values of the NPS-FW relating to mahinga kai and 'Te Hauora o te Taiao/ The Health and Mauri of the Environment in respect of *Natural Form and Character*' (i.e. people value particular natural qualities of the freshwater) be either deleted, or amended to remove references to the non-compulsory values for water quality and water quantity. These provisions include, but are not limited to the following:

*Schedule H1 and Rivers shown on Map 20:* In line with the principle that the Whaitua process should determine the non-compulsory values, the submitter also opposes all provisions identifying regionally significant primary contact recreation water bodies listed in Schedule H1 and shown on Map 20 and in particular the Otaki and Waikanae Rivers. Not all parts of these rivers are used for primary contact recreation purposes and it may not be appropriate to identify those reaches as regionally significant for primary contact recreation .

Objective 05

~~"Fresh water bodies and the coastal marine area, as a minimum, are managed to:~~

- ~~(a) safeguard aquatic ecosystem health and mahinga kai;~~
- ~~(b) provide for contact recreation secondary recreational contact and/or provision of potable water and Maori customary use, and~~
- ~~(c) in the case of fresh water, provide for the health needs of people secondary recreational contact and/or provision of potable water\* (\* would require a new definition for 'secondary recreational contact')~~"

Objective 24

~~"Rivers, lakes, natural wetlands, and coastal water are suitable for secondary recreational contact and/or provision of potable water, and significant contact recreation fresh water bodies are suitable for contact recreation ~~contact recreation~~ and Maori customary use, including by:~~



- (a) maintaining water quality; or
- (b) improving water quality in
  - i. Significant contact recreation fresh water bodies to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and
  - ii. all other rivers and lakes and natural wetlands to meet, as a minimum the secondary contact recreation objectives in Table 3.2."

Schedule H: Contact recreation and Maori customary use (and as shown on Map 20)

Schedule H1: Regionally significant primary contact recreation water bodies (shown on Map 20"

Objective O25

"To safeguard aquatic ecosystem health ~~mahinga kai~~ in fresh water bodies and coastal marine area:

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health ~~and mahinga kai~~, and
- (b) restoration of aquatic ecosystem health ~~and mahinga kai~~ is encouraged over time\* (\* refer paragraph 8.0 of this submission), and
- (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"

Policy P10: Contact recreation and Maori customary use

"The management of natural resources shall have particular regard to the actual and potential adverse effects on ~~contact recreation~~ the health and mauri of people involved in secondary contact recreation and Maori customary use sites, in fresh and coastal water including by:

- ~~(a) providing water quality and, in rivers, flows suitable for the community's objectives for contact recreation and Maori customary use~~
- ~~(b) managing activities to maintain or enhance 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~~
- ~~(c) encouraging improved access to suitable swimming locations, and~~
- ~~(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area~~

Policy P31: Aquatic ecosystem health ~~and mahinga kai~~

"Aquatic ecosystem health ~~and mahinga kai~~ shall be maintained, or where possible/identified restored over time, by managing the effects of use and development on physical, chemical and biological processes to:

- (a) ~~minimise limit~~ adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern where they exist, and natural range of water level fluctuations in rivers, lakes and natural wetlands, and
- (b) ~~minimise limit~~ 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
- (c) ~~minimise limit~~ adverse effects on habitats that are important to the life cycle and survival of aquatic species, and

- (d) ~~minimise limit~~ adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and
- (e) ~~avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and~~
- (f) ~~minimise limit~~ adverse effects on established riparian habitats and restore them where practicable, and
- (g) ~~avoid the introduction, and restrict the spread of, aquatic pest plants and animals."~~

Policy P32: Adverse effects on aquatic ecosystem health ~~and mahinga kai~~  
 "Significant adverse effects on aquatic ecosystem health ~~and mahinga kai~~ shall be managed. by:

- ~~(a) avoiding significant adverse effects; (see comments in next section under 'Water Quality')~~
- ~~(b) where significant adverse effects cannot be avoided, remedying them, and~~
- ~~(c) where significant adverse effects cannot be remedied, mitigating them, and~~
- (d) where significant adverse effects cannot be avoided, remedied or mitigated and/or residual significant adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G (biodiversity offsetting)"

Policy P62: Promoting discharges to land

"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) secondary recreational contact and/or provision of potable water\* ~~contact recreation and Maori customary use."~~

Policy P70: Managing point source discharges for aquatic ecosystem health ~~and mahinga kai~~

"Where an objective in Table 3.4, Table 3.5, or Table 3.8\* of Objective O25 is not met, point source discharges to water shall be managed in the following way ...."

\*Tables 3.4, 3.5, 3.6, 3.7 and 3.8 to be amended so criteria is only assessing aquatic ecosystem health not mahinga kai.

3.9.3 The submitter opposes generic application of provisions controlling use and development without reference to managing potential adverse effects. The submitter opposes any "mitigation hierarchy" including the reference in Schedule G. The submitter opposes the attempt to define "minimisation of adverse effects" under Policy P4 by requiring applicants to consider alternative locations and locating activities away from Scheduled sites. There is a reason why an applicant has sought a consent for the specific location and unless the activity on that site is prohibited then they have every right to apply for a consent in that location. The Regional Plan should instead look at managing effects from activities on locations. These provisions the submitters oppose include, but are not limited to the following:

~~Objective O19~~

~~The interference from use and development on natural process is minimised.~~ Note: in some circumstances interference from use and development on natural processes may be justified. Other objectives provide an effects based approach and should be used instead.

*Policy P4: Minimising adverse effects*

*"Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practical 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) where possible, 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 small as practicable."*

*Policy P26: Natural processes*

*"Use and development will be managed to ~~minimise~~ limit adverse effects on the integrity and functioning of natural processes and minimise adverse effects on significant habitats and landscapes."* The submittor opposes the use of the word "minimises with the current definition as set out in Policy 4 above but would support an amended Policy P4.

- 3.9.4 The submitters oppose any provisions which impose additional restrictions on adjoining land on the basis that they are "buffers" or provide "connections" between habitats either for the purpose of managing biodiversity, water quality or natural hazards. Protected sites should be easily identified within a Regional Plan and natural hazards should only require buffers where appropriate. These provisions include, but are not limited to the following:

*Objective O28*

*The extent of natural wetlands is maintained ~~or increased~~ and where possible their extent and condition is restored over time.*

*Policy P30: Natural buffers*

*~~The adverse effects of Use and development on natural features such as beaches, dunes, or wetlands that buffer development from natural hazards shall be minimised, if that use or development reduces the ability of that feature to operate as a buffer.~~*

- 3.9.5 The submitters oppose any provisions which require 'restoration' and/or 'enhancement'. Submitters are seeking the Regional Council engage with landowners and the community over sites where this could occur and how that work might be funded and over what time frame the work might occur. Provisions should be specific and identify clearly areas that require enhancement (see the proposed objective O18 and Policy P62 as examples of what may be suitable). These provisions include, but are not limited to, the following:

*Objective O3*

*Mauri is sustained, and where possible/identified enhanced over time particularly the mauri of fresh and coastal waters"*

*Objective O9*

*"The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where possible/identified enhanced over time."*

*Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible/identified enhanced over time."*

*Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained and where possible/identified or improved over time."*

*Objective O28*

*"The extent of natural wetlands is maintained, or where possible/identified increased and their condition is restored over time."*

*Objective O29*

*"use and development provides for the passage of fish and koura and where possible/identified the passage of indigenous fish and koura is restored over time."*

*Objective O30*

*"The habitat of trout identified in Schedule 1 (trout habitat) is maintained and where possible/identified improved over time."*

*Objective O33*

*"~~Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time." Note: submitters consider the provisions too onerous in respect of mana whenua sites and instead seek that the 'values' of those sites be recognised and provided (having regard to tikanga Maori and the kaupapa of the kaitiakitanga for that site). See paragraph 3.8.6 below.*

*Objective O35*

*"Ecosystems and habitats with significant indigenous biodiversity values are protected and where possible/identified restored over time."*

*Objective O38*

*"Identified special amenity landscape values are maintained and where possible/identified enhanced over time."*

*Policy P17: Mauri*

*"The mauri of fresh and coastal waters shall be recognised as being important to Maori by:*  
*(a) managing the individual and cumulative effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and*  
*(b) providing for activities that sustain and where possible/identified enhance mauri over time*  
*(c) recognising the role of kaitiaki in sustaining mauri"*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible/identified, over time."*

*P44: Protection and restoration of sites with significant mana whenua values*

*"The values of mana whenua sites are recognised and provided for and where possible/identified restored over time." ~~Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored."~~*

- 3.9.6 The submitters support the Proposed Regional Plan identifying 'protected customary rights'. The submitters oppose all other provisions protecting or managing waterbodies for the purpose of mahinga kai (unless as part of a mana whenua site) and request that such provisions be removed from the Proposed Regional Plan unless the provisions specifically refer to mana whenua sites.
- 3.9.7 The submitters supports the Proposed Regional Plan giving effect to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as set out in Objectives O14 – O16 as set out in section 6 of the Act. However, the submitters oppose the significant restrictions on activities within mana whenua sites. These provisions include, but are not limited to the following:

*Objective O33*

*~~"Sites with Significant~~ The values of mana whenua values sites are recognised and provided for and where possible/identified restored over time."*

*Policy P44: ~~Protection and restoration of sites with significant mana whenua values~~*

*~~"Sites with significant mana whenua values shall be identified in Schedule C (mana whenua) shall be protected and/or restored"~~*

*Policy P45: ~~Managing adverse effects on sites with significant mana whenua values~~*

*~~"in the first instance, Where possible alternative locations should be sought for activities in sites with significant mana whenua values identified in Schedule C (mana whenua) should be avoided."~~*

*~~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. If alternative locations can not be found, the activities undertaken within these sites shall recognise and provide for the values mana whenua hold for that site as listed in Schedule C. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori. as recommended in the cultural impact assessment by:~~*

- ~~(a) avoiding more than minor adverse effects, and~~*
- ~~(b) where more than minor adverse effects cannot be avoided, remedying them, and~~*
- ~~(c) where more than minor adverse effects cannot be remedied, mitigating them, and~~*
- ~~(d) receiving written consent of the iwi authority.~~*

*~~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.~~

3.9.8 That the definition for *Mahinga kai* be amended to align itself with the definitions under the NPS-FW as follows:

- *“Mahinga kai” - food gathering, places of food – protection of water resources so that kai would be safe to harvest and eat and knowledge transfer is present;*
- *“Mahinga kai – kei te ora te mauri” - the mauri of the place is intact – the freshwater resources would be available for customary use at some places (but not everywhere);*
- *“Mahinga kai fishing” – that the freshwater resource would be allow for fish numbers to be sufficient and suitable for human consumption.”*

3.9.9 That the Whaitua process consider whether to provide within the Regional Plan on a catchment by catchment basis (or site by site basis) for the non-compulsory values and that those be included as a variation to the Regional Plan. That the Whaitua process include not just the customary gathering of food (i.e. *Mahinga kai*) but the gathering of food for all people as set out in the three definitions under the NPS-FW when considering whether to include those values in the Regional Plan on a catchment by catchment basis.

#### 4.1 WATER QUALITY

4.1 The Blackett’s recognise that the National Policy Statement on Freshwater Management (NPS-FW) requires Regional Councils in reviewing their policy statements and plans to safeguard water quality to protect its life-supporting capacity; and safeguard water quantity to avoid over-allocation and to maximise efficient use of water; and to protect significant values of wetlands and outstanding freshwater bodies.

As noted already, the submitters oppose the inclusion of any provision within the Proposed Regional Plan that gives effect to the non-compulsory values (i.e. the protection of water bodies for the purpose of collecting food and for primary contact/swimming recreation).

4.2 The submitters oppose any provision within the Proposed Regional Plan that seeks to improve water quality with the exception of those water-bodies that have already been over-allocated. The submitters consider such provisions should only be included on a catchment by catchment basis once having considered whether improvement is appropriate and this is best done under the Whaitua process. The submitters recognise that the Whaitua process, having reviewed the data on the relevant water catchments and considered the varied water values stakeholders have for a catchment, is more appropriate to determine whether a catchment’s water quality should be improved or not.

The wording of the NPS-FW is to *“to maintain or improve the overall quality of freshwater within a region.”* The Land and Water Forum working on the wording on the NPS-FW recommended that *“maintain”* means staying within the same band and *“improve”* means moving to a higher

band<sup>2</sup>. To determine whether a waterbody does require improvement or enhancement each regional council must first classify its water bodies into a set of freshwater management units (FMUs).

- 4.3 The submitters oppose the provisions which prevent existing lots located within a community drinking water supply protection area from constructing a dwelling with an on-site effluent disposal system (refer rule 92). In terms of the Waikanae River, there is no evidence that the existing on-site effluent disposal systems are having an adverse effect on the drinking water quality. Landowners who have gone through the planning and legal processes to create a lot should not be prevented from doing so via a provision in a Regional Plan. Any provisions in a regional plan should relate to any future lots and not existing lots subject to evidence showing that such provisions are necessary to give effect to the NPS-FW. If those provisions are not necessary the provisions should be deleted.
- 4.4 The submitters oppose Rule 82 clause (a) being the application of fertiliser from ground-based or aerial applications onto or into surface water bodies and any other relevant provisions. The submitters support an amended provision which provides for best practice when undertaking aerial top-dressing as opposed to a blanket no discharge rule as with the best will in the world it is not always possible when undertaking aerial topdressing to avoid surface waterbodies.
- 4.5 The submitters oppose Rule 83 being the discharge of collected animal effluent onto or into land as a controlled activity. The submitters oppose that there is no extended timeframe within which to comply with clause (g) being the requirement to provide permanent sealed animal effluent collection, storage and treatment facilities. The regional plan must apply fair methodology when requiring high-cost mitigation. The submitters support a variation to Rule 83(g) and any other relevant provisions which allows an extended period of time, in line with the timeframe granted to local authorities for to upgrade their stormwater systems (refer Rule 50).
- 4.6 The submitters oppose Rule 89 being the discharge of contaminants onto or into land and the<sup>4</sup> associated discharge of odour from a new farm refuse dump. The submitters consider that the area of 50m<sup>3</sup> is insufficient to meet their daily needs; and that there appears to be no basis for the other provisions relating to requirements that they are located in silty or clary soils or that they not be located wihtin an area prone to flooding or ponding; that they not be located 0.6m above the seasonally highest water table. The submitters consider that it would be more appropriate and simplier if the rule just referred to a set-back distance from water supplies which are used for potable water.
- 4.7 The submitters oppose Rules 94, 95 and 96 and any other provisions relating to break-feeding and cultivation. The submitters oppose the requirement for a 5 metre set-back from any surface water-body for break-feeding and/or cultivation. The submittor considers that the

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<sup>2</sup> Land and Water Forum, 2012. *Second Report of the Land and Water Forum: Setting Limits for Water Quality and Quantity, and Freshwater Policy and Plan-Making Through Collaboration*.p.22,

provision in Rule 94(c) that “*sediment laden surface water resulting from cultivation does not flow to a surface water body*” is sufficient for ensuring adverse effects from break-feeding do not impact on those water bodies. The submitter would support an amendment to Rule 94(b) to encourage best-practice of starting break-feeding at the far side of the paddock to the waterbody (this means that stock will only be at a close proximity to the waterbody for the shortest period of time). The provisions for cultivation are effectively requiring riparian vegetation to develop within the 5m to the waterbody edge when this may not be necessary for all water-bodies.

4.8 The submitters oppose Rule 97 – Access to the beds of surface water bodies by livestock and oppose the definition of “dairy cows” to include all dairy cows whether they are dry stock and/or grazing stock. The submitter does not have a dairy farm but grazes dry dairy cows on behalf our others in both the hill country and lowland areas on his farm. The current rules would require that “rivers that have an active bed width of 1m or wider” regardless of whether they are in the hill-country or the lowlands would need to be fenced if the adjoining paddocks contain dairy cows including dry and grazing dairy cows. This would mean that streams in the hill country would either need to be fenced or the submitter would need to stop grazing dry dairy cows on those paddocks. Dry and/or grazing dairy cows are not held at the same stocking rates as milking cows and are often grazed on hill country areas where it is not always practicable to fence off small narrow streams (i.e. beds that are wider than 1m).

4.9 The submitters are concerned that the provisions relating to earthworks do not exclude the construction of new farm tracks. The submitters are seeking the definition of earthworks in chapter 2 of the Proposed Regional Plan excludes the construction of new farm and forestry tracks in accordance with the provisions in District Plans in the region. The submitters state that provided new farm and forestry tracks comply with the same permitted activity conditions as set out in Rule 99 (a) – (d) that all effects will be appropriately managed.

Similarly, the submitters oppose the provisions relating to stormwater run-off from properties as set out in Rule 48 on the basis that it does not address any particular activity; and on the basis that Rule 99 already addresses run-off from earthworks. Natural rainfall falling on a property should not subject to rules in a Regional Plan – this is unreasonable. The way Rule 48 is written is that landowners could be liable for effects on watercourses as a result of a landslide occurring on their property. This is unfair and has no basis in the Resource Management Act which refers to “people” not discharging contaminants or water into water (refer section 15 of the Act).

4.10 The submitters oppose the provisions relating to vegetation clearance that trigger Rule 100 and Rule 101. Sppecifically the submitters seek that the definition of vegetation clearance as set out in Chapter 2 of the Proposed Regional Plan be amended to only refer to vegetation clearance which involves the removal of roots or stumps (e.g. root racking or stump clearance). The submitters would like the Regional Plan to focus on effects based rules and in this instance look to manage those effects that look to destroy the roots of plants but allow measures such as roller crushing, burning, harvesting of pine plantations etc where the roots will not be disturbed.



Root die-off takes some time and unless the landowner is cultivating the ground the landowner will be replacing that vegetation with either grass or replanting as a production forest.

The submitters also oppose the definition of *erosion prone land* being slopes of 20 degrees or less. Submitters seek that the current definition of erosion prone land applies which are for slopes of 28 degrees or more.

- 4.11 The submitters oppose the provisions relating to culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast.
- 4.12 The submitters oppose the provisions relating to maintenance of drains. The submitters support the ability to clear a section of a drain (including both sides) at one time. It is not practical to leave one side or the middle of a drain particularly if the drain is narrow and the digger can reach the entire width of the drain. The submitters oppose the rule that requires all fish and koura that may have been removed from the drain to be returned to the drain. Instead the submitters would support a 'best practice provision' which states, 'where possible, all fish and koura should be returned to the drain.' The submitters oppose the rule that would prevent the removal of woody debris with a diameter greater than 0.2m from the drain.

#### 4.13 Relief Sought

- 4.13.1 The submitter seeks that the policy approach to maintain OR maintain and improve water quality is determined through more discussion with the community based on a catchment basis through the Whaitua process for those provisions as noted in paragraph 3.9.4 above.
- 4.13.2 The submitters oppose Rule 92 and request that it be deleted and that Rule 75 be amended to provide for on-site effluent disposal systems within a community drinking water supply protection area.
- 4.13.3 The submitter's oppose Rule 82 and any associated provisions which require that aerial topdressing avoids any discharges to surface water bodies. The submitter supports changes to the provisions that provide instead for "best practice" and "to avoid wherever practicable discharges to surface water bodies" by aerial topdressing pilots.
- 4.13.4 The submitters oppose Rule 83 and any other relevant provisions requiring immediate compliance and installation of permanent sealed collection and treatment facilities for animal effluent. The submitter's support a phased regime similar to that proposed for territorial authorities for the treatment of stormwater.
- 4.13.5 The submitter opposes rule 89 and seeks for it to be amended to allow for a refuse up to 100m<sup>3</sup> in size. The submitter seeks that Rule 89 (c)(ii) be deleted; that rule 89(d)(i) be deleted; that rule 89(e) be deleted; that Rule 89(h) be deleted; and that Rule 49(i) be deleted.

- 4.13.6 The submitters oppose Rules 94, 95 and 96 in relation to break-feeding and cultivation. The submitters oppose the activity status of 'discretionary' for any non-compliance and state that at the most any activity not complying should be 'controlled.' The submitter would support amendments to Rule 94(a) and Rule 95(a) to remove the requirement for a 5m setback from a waterbody and to amend Rule 94(b) and 95(b) to require best-practice to be applied.
- 4.13.7 The submitters oppose Rule 97 and the definition of diary cows. The submitters support an amendment to the definition of diary cows to "exclude all 'dry and grazing' dairy cows." So that grazing dry dairy cows do not trigger the requirement to fence rivers with an active bed wider than 1m in the hill-country.
- 4.13.8 The submitters oppose Rule 100 and the definition of 'vegetation clearance.' The submitters support amending the definition of vegetation clearance to exclude production forest harvesting.
- 4.13.9 The submitter opposes all provisions relating to drain clearance. The Submitter supports more practical provisions that allow a machine to clear both sides and the middle of a drain at one point in time; the Submitters support provisions that provide for best practice when returning fish and koura to drains if they have been removed during the clearance process; the Submitters support the removal of woody debris from drains.
- 4.13.10 The submitters opposes all provisions relating to earthworks and control of stormwater where it comes from an area of earthworks. The submitters opposes Rule 48 and seeks that it be deleted.
- 4.13.11 The submitter opposes the definition of earthworks in Chapter 2 of the Regional Plan and seeks that it be amended to "exclude" the construction of "new" farm and "forestry" tracks.

The submitter supports a new permitted activity rule for new farm and forestry tracks as follows:

- "New Rule Earthworks – New or Existing Farm and Forestry Tracks are permitted, provided the following conditions are met –*
- (a) soil or debris is not placed where it can enter a surface water body or the coastal marine area;*
  - (b) earth disturbance will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the track is being constructed or maintained*
  - (c) work areas are stabilised within six months after the completion of the works*
  - (d) any earth disturbance shall not, after the zone or reasonable mixing, result in any of the following effects in receiving waters –*
    - a. the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or*
    - b. any conspicuous change in colour or visual clarity, or*
    - c. any emission or objectionable odour, or*
    - d. the rendering of fresh water unsuitable for consumption by animals, or*
    - e. any significant adverse effect on aquatic life."*

- 4.13.12 The submitters oppose Rule 99 and seek that it be amended so that it is reflective of property sizes and based on catchments. Amend Rule 99 to either increase the minimum area of earthworks permitted per property based on it as a percentage area of the total property (so that larger properties can undertake more earthworks); and/or so that the rule are applied to catchments affected (i.e. so that a earthworks up to a certain square metre can be undertaken within each catchment within each property).
- 4.13.13 The submitter opposes the definition of 'erosion prone land' as set out in Chapter 2 of the Proposed Regional Plan and seeks for it to be amended as follows:

*Erosion Prone Land*

*The pre-existing slope of the land exceeds ~~20~~ 28 degrees*

- 4.13.14 The submitter opposes the activity status of Rule 101 so that activities not complying with Rule 99 or Rule 100 are a discretionary activity. The submitter supports Rule 101 being a *restricted discretionary activity* where Council's discretion is limited to management of sediment from construction and long term effects from the earthworks.

## 5.0 WATER QUANTITY & WATER ALLOCATION

- 5.1 The Submitters recognise that the policy direction for Water Quantity is set by the National Policy Statement on Freshwater Management which sets out three objectives a Regional Plan must meet. The three objectives of the NPS-FW to safeguard water quantity require Regional Council's in their Plans to:
1. avoid any further over-allocation of fresh water and phase out existing over-allocation (Objective B2 NPS-FW);
  2. improve and maximise the efficient allocation and efficient use of water (Objective B3 NPS-FW); and
  3. To protect significant values of wetlands and of outstanding freshwater bodies (Objective B4 NPS-FW)

The submitter supports improving those waterbodies that meet the criteria set by the NPS-FW which refers to improving waterbodies that "have been degraded by human activities to the point of being over-allocated". The submitters oppose the region-wide limits on water takes.

The submitter supports protecting *significant* values of outstanding freshwater bodies and *significant* values of wetlands. For this reason the submitter opposes the inclusion in the all ephemeral and wet areas as natural wetlands as it is the responsibility of the Regional Council to identify those wetlands with *significant values* and protect them.

- 5.2 The submitters oppose the limits set in the Proposed Regional Plan under chapter 5.6 and request the existing limits remain in place.

### 5.3 Relief Sought

- 5.3.1 The submitters oppose the limits on water takes as set out in chapter 5.6 of the Proposed Regional Plan. The submitter supports returning to the limits set under the Operative Regional Plans until such time that the Waitua process identifies which waterbodies have been over-allocated.

## 6.0 AIR QUALITY

- 6.1 The submitter opposes the application of agrichemical provisions in respect of air quality. Specifically, the submitter opposes the provisions around notification of neighbours and the requirement for non-commercial applicators to hold a GOWSAFE (trademarked) qualification.

The submitters oppose the requirement in Rule 36(g)(iii) that requires that they supply a copy of a spray plan to the owners and occupiers of properties who are “likely to be directly affected by the discharge” or owners and occupiers of properties who “request a copy.” The latter provision could mean that people not even affected could request a copy of a spray plan. Furthermore, what does it mean to be ‘directly affected?’ Where there are multiple adjoining landowners they could all consider themselves directly affected simply because they are a neighbour when in fact they are not directly affected. The rule should be limited to a specific distance from the area which is being sprayed.

There should be no requirement to provide a copy of the spray plan 24 hours before a discharge of agrichemicals because there may not be sufficient time to do this particularly if there are a number of neighbours affected; and secondly because those neighbours have the opportunity at the start of the spray season to obtain a copy.

The submitters oppose the requirement that requires compulsory certification to a particular qualification without consideration of other qualifications such as the ‘approved chemical handler’ certificate. The submitters note that under the Hazardous Substances and Noxious Organisms Act (HSNO) certain chemicals can not be sold in large quantities without the buyer holding in their name a suitable qualification. On this basis the submitter questions whether Rule 36 (i) is relevant at all.

### 6.2 Relief Sought

- 6.2.1 That Rule 36 be amended and that provision 36(g) and 36(i) be deleted and replaced with the following:

- (g) *the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and*
- (i) *identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with NZS 8409:2004 management of Agrichemicals: Seciton 5.3 and appendix M4, and*
- (ii) *notify adjacent neighbours that a spray plan is available on request at start of a spray season, and*

*(iii) gain written agreement from adjoining neighbours that notification is not required, and*

*(iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of agrichemicals~~ verbally notify at least 24 hours prior to the discharge of agrichemicals the owner/occupier of a property which is either identified as a sensitive area; or is within 50 metres of the area which will be affected by the discharge ~~or likely to be directly affected by the discharge, or requests a copy,~~ and*

*(h) ...*

*~~(i) 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~~*

## 7.0 BIODIVERSITY

7.1 The submittor opposes requirements to 'restore' ecosystems and habitats with significant indigneous biodiversity. The requirement to 'restore' goes beyond that set by section 6 of the Act which simply requires Regional Plans protect areas of significant indigneous biodiersity and habitats with significant indigenou fauna. Restoration should be a joint effort between the landowner, the wider community, iwi and local government and should not be the sole responsibility of a resource user unless it is part of an off-setting requirement.

7.2 The submitters oppose all provisions which require connections be created between two or more habitats. A significant habitat must considered such on its own merits and the boundaries drawn on maps in the Regional Plan must contain that habitat so that they are easily defined. Policy P42 is seeking to extend boundaries of a significant habitat outside the processes set by Schedule 10 of the Act (the plan change process). This policy is inherently unfair as it tries to achieve an outcome by stealth. Buffers and other connections must be identified within the boundaries of a significant site at the time the Proposed plan is publicly notified.

### 7.3 Relief Sought

7.3.1 The submitor opposes provisions that seek to 'restore' habitats outright without the support of the community and the buy-in of the landowner. These provisions include, but are not limited to the following:

*Policy P40: Ecosystems and habitats with significant indigenous biodiversity values*

*"Protect, and where possible restore over time, the following ecosystems and habitats with significant indigenous biodiversity values:*

- (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes);
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and
- (c) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands);
- (d) the ecosystems and habitat types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats)."

7.3.2 The submitter opposes all provisions to extend the boundaries of a significant habitat through inclusion of buffers and/or requiring connections to habitats outside the boundaries of a site. Such provisions in the plan include, but are not limited to the following:

*Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values*

*"In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:*

- ~~(a) maintain ecological connections within and between those habitats, or~~
- ~~(b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and~~
- ~~(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and~~
- ~~(d) avoid cumulative adverse effects on, and the incremental loss of the values of those ecosystems and habitats."~~

## 8.0 TIMEFRAMES

8.1 The NPS-FW gives Regional Council's a timeframe within which to meet its requirements but does not specifically state that in the interim it shall adopt a precautionary approach. As such the submitters oppose the adoption of a precautionary approach in the Regional Plan. The submitters oppose all provisions which require that immediate attention is required to improve or enhance a waterbody. The Proposed Regional Plan appears to have double-standards when dealing with territorial authorities or larger entities allowing longer timeframes within which to comply when compared to individual resource users (see objectives O48, O52). These larger organisations are more likely, financially, to be able to comply within a shorter timeframe than an individual. The framework set out in the Proposed Regional Plan is inherently unfair and biased.

## 8.2 Relieft Sought

- 8.2.1 That the provisions which require immediate attention to improve or enhance a waterbody are either deleted or amended. Suggested amendments are proposed to the provisions noted below but are not limited to those provisions:

### *Objective O9*

*"The recreational values of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and where possible, enhanced, over time."*

### *Objective O11*

*"Opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and where possible, improved, over time."*

### *Objective O23*

*"The quality of water in the region's rivers, lakes, natural wetlands, groundwater and the coastal marine area is maintained, or where possible, improved, over time."*

### *Policy P3: Precautionary Approach*

*Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the risk of adverse effects the activity may have on this environment may be both high and likely to occur.*

### *Objective O47*

*"The amount of sediment-laden runoff entering water is reduced over time."*

### *Policy P20: Exercise of Kaitiakitanga*

*"Kaitiakitanga shall be recognised and provided for by:*

- (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 Maori as exercised by mana whenua, when possible;*
- (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2;*
- (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Maori in the maintenance and enhancement of mana whenua relationships with nga Taonga Nui a Kiwa."*

### *Policy P35 Restoring fish passage*

*"The passage of indigenous fish and koura shall be restored, over time, where this is appropriate for the management and protection of indigenous fish and koura populations."*

*Policy P38: Restoration of wetlands*

*"The restoration of natural wetlands and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of natural wetlands, shall be encouraged where possible, and supported by local and regional government."*

## 9.0 LANDSCAPES

9.1 The submitters oppose the blanket inclusion of special amenity landscapes in District Plans. The submitters support providing for Special Amenity Landscapes only where the wider community have identified the values associated with those landscapes as worthy of inclusion. The submitter supports criteria in the Regional Plan to assist communities identify Special Amenity Landscapes. The submitter would support the consideration of special amenity landscape *values*, in relation to waterbodies, through the Whaitua process subject to consultation with landowners prior to any identification.

9.2 The submitters oppose the provisions that require Special Amenity Landscapes and Outstanding Landscapes to be restored and/or enhanced. The reasons are the same as set out earlier in this submission.

### 9.3 Relief Sought

9.3.1 The submitter opposes any provisions relating to special amenity landscapes. The submitters would support amendments to the Proposed Regional Plan that list criteria for sites to be included as a special amenity landscape and that this work be undertaken as part of the Whaitua process. In the interim, all provisions should be deleted as follows:

*~~Objective O38~~*

*~~"Identified special amenity landscape values are maintained or enhanced."~~*

*Policy P49: use and development adjacent to outstanding natural features and landscapes ~~and special amenity landscapes~~*

*"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:*

*(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and*



*(b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.”*

## 10. BEDS OF LAKES AND RIVERS

10.1 The submitters oppose the rules relating to river crossings and culverts. The submitters state that the application of region-wide provisions for culverts are not necessarily applicable to the Kapiti Coast and its climatic conditions necessitating certain culvert sizes. The submitter supports providing as a permitted activity culverts of a larger dimension than proposed for water bodies located on the Kapiti Coast; or deleting the maximum size of culverts. Specifically the submitters oppose Rule 114(f)(ii) which limits river crossings to catchments less than 50ha on the west coast (west of the Ruamahanga River). There is no rationale behind the large difference between the east coast and the west coast.

10.2 The submitters also oppose Rule 114(g) which limits formed crossings to 20m<sup>2</sup> as a permitted activity where the structure is in or on the bed of the river. This would significantly limit fords. Surely the focus of the Plan should be on addressing effects on habitat which would mean limiting the width of a ford (i.e. the distance it measures between upstream and downstream) and not the length of the ford or overall size of the ford.

10.3 The submitters oppose Rule 115 (h)(ii) and (iii) which limits the overall size of the culvert to 1.2m. The rule already has a provision to ensure that it does not exceed 20m in length presumably to manage fish passage; the rule also contains a provision to ensure it allows flows from a 5% AEP (or 20 year event) to ensure passage of flood waters can be maintained. There does not appear to be any reasonable basis for including a maximum culvert size with these other provisions in place

### 10.4 Relief Sought

10.4.1 The submitters oppose Rule 114(f)(ii) and seek that the area be increased to 200ha as per the east coast.

10.4.2 The submitters oppose Rule 115(h)(ii) and Rule 115(h)(iii) and seek that it be amended to just refer to the minimum size limit of 0.3m diameter but remove any maximum size.



1:10000



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Proposed Natural Resources Plan:

Submitter:

**Kahungunu Ki Wairarapa**

Submitter Number:

**S300**



S300

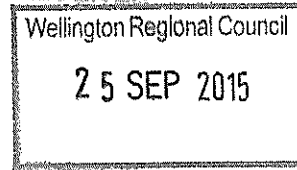
GREATER WELLINGTON  
REGIONAL COUNCIL

4.25pm

25 SEP 2015

#1529657

**Submission by Rawiri Smith, Environment Manager Kahungunu Ki Wairarapa, on behalf of Kahungunu Ki Wairarapa about the Proposed Natural Resource Plan, September 25<sup>th</sup> 2015**



I am able to be contacted at ra@kahungunuwairarapa.iwi.nz

I wish to be heard on the submission that follows.

Greater Wellington Regional Council should be congratulated on this innovative plan that extends naturally for an innovative process. It fulfils in a major way the purpose of the act as outlined below.

**5 The Purpose of the RMA**

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

For Kahungunu Ki Wairarapa the concepts associated with mauri ora in these well beings might differ from the mainstream population, but we see a framework for the mauri to thrive in being established in this plan. We would like to encourage that greater detail around mahinga kai activities and Maori cultural uses be a part of the plan. Kahungunu Ki Wairarapa sees an avenue for this to occur with the Whaitua Committees. To this effect we suggest that more of the framework consider these three legislated outcomes.

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;

Innovative frameworks in this plan can allow more agility for this purpose to occur. This is especially important in the water resources. Kahungunu Ki Wairarapa would seek for greater consideration be given to blue and green infrastructure, natural water and natural plant infrastructures, as solutions through strengthening how methods and other methods might be connected to this purpose. Climate change is an important consideration in making urgent progress in this regard.

- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems;

The life supporting capacity of air, water, soil and ecosystems are better safe guarded through natural processes to achieve the targets and limits outlined in the plan. Kahungunu Ki Wairarapa are mindful of the advances made within the plan to achieve this, but we think there is opportunity to do more. We see mahinga kai and Maori cultural use as opportunities to build on what already exists in this plan.

- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

With this purpose in mind, Kahungunu Ki Wairarapa commends to the authors of this plan for the natural processes it is already considering like wetland preservation and human intervention like fencing waterways.

Provision is made in the Resource Management Act for matters of national importance. Kahungunu Ki Wairarapa wishes to commend the Greater Wellington Regional Council for recognising places of significance



to our iwi and other iwi throughout the region. We think that this presents an opportunity for greater appreciation of our taonga from an iwi perspective and from a general public perspective.

This section 6 entitled, Matters of national importance, requires a high standard of recognition and Kahungunu Ki Wairarapa observes the occurrence of this in this plan.

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

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

We commend to Greater Wellington Regional Council the observance of natural character in the waterways of the Wairarapa and that a method for achieving the outcomes outlined in the plan is through working within the natural character of our natural resources

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

Kahungunu Ki Wairarapa looks forward to a greater appreciation of te Mana o te Wai so that all the outstanding natural attributes of our landscapes in further protected

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

These taonga are only slowly being recognised now for their environmental values. The recognition of the value the indigenous flora and fauna bring to the environment should be a consideration for inclusion in this plan

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

Kahungunu Ki Wairarapa commends the regional council for the considerable movement in this plan to recognising the relationship Maori have to their land. The expression of this value can be further enhanced.

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

Often this heritage is confined to human development, but the use of natural element by humans in improving the quality of life should be considered for this protection too

While this section has a lower status of recognition, it is an area that Kahungunu Ki Wairarapa holds in high regard because of the practical nature of values being considered in this section.

## 7 Other matters

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





(a) kaitiakitanga: is an aspect of this plan that Kahungunu Ki Wairarapa considers should be extended to Maori methods of practice through this plan.

(f) maintenance and enhancement of the quality of the environment is a matter that requires development methods to use good management practice. While some of this is being achieved, Kahungunu Ki Wairarapa would like to see more of this happening. Good Management Practice should be a pre – requisite for grandparenting and other renewal of consent initiatives.

Section 8 of the Resource Management Act, Treaty of Waitangi states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Kahungunu Ki Wairarapa is mindful that the period for this plan extends across the start of the post settlement era for Wairarapa and we look forward to working with the regional council in this new relationship.

In section 15 of the RMA, Discharge of contaminants into environment, Kahungunu Ki Wairarapa is aware of the progress this plan makes and the thinking throughout Wairarapa of the district councils to plan for eventual discharge to land.

Our aspiration in working with this plan is to eventually achieve the confidence of the community and council to enact Section 33 Transfer of powers

(1) A local authority may transfer any 1 or more of its functions, powers, or duties under this Act, except this power of transfer, to another public authority in accordance with this section.

(2) For the purposes of this section, public authority includes—

(b) an iwi authority; and

Amongst the requirement for transfer is the following subsection,(5c) both authorities agree that the transfer is desirable on all of the following grounds:

(i) the authority to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power, or duty:

(ii) efficiency:

(iii) technical or special capability or expertise.

Kahungunu Ki Wairarapa looks forward to the day when it can be held in such regard by Greater Wellington Regional Council and the Wairarapa community. It is a sign of success for this plan that in general Kahungunu Ki Wairarapa holds Greater Wellington Regional Council in high respect so that we have confidence that this plan and its consequential actions can be implemented.

