

Proposed Natural Resources Plan Decisions Version – Part 1 for the Wellington Region

Te Tikanga Taiao o Te Upoko o te Ika a Maui



greater WELLINGTON
REGIONAL COUNCIL
Te Pane Matua Taiao



Cover design (from top to bottom)

The clouds feature the mangopare design which depicts the hammerhead shark. In essence this is the reflection of the sea in the sky and the sky in the sea. "As I drive along the Kāpiti coast from Pukerua bay to Paekakariki and look out to sea, I often see the clouds in the sea."

The silhouette of a bird represents all birds in the Wellington Region.

The mountain range represents all maunga in the region. The kōwhaiwhai is the snow in winter which melts and becomes another water source for streams and rivers. The shapes and slopes of the kōwhaiwhai flow down but come together at the peak of the maunga which emphasises its mana/strength.

The cyan blue water is the sea.

The white line depicts the coast.

The green area is the land.

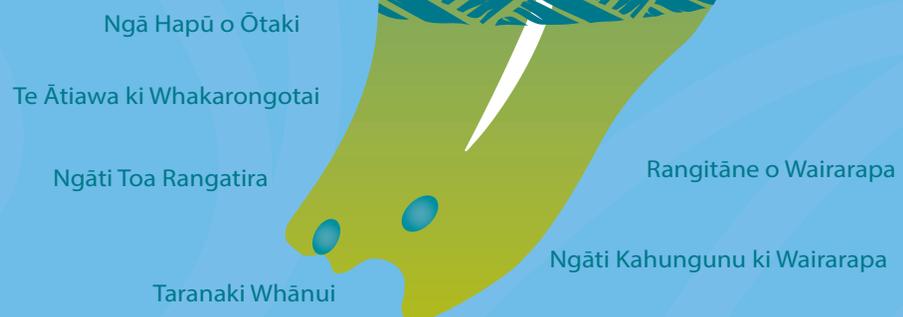
The light blue water features the hikuawa kōwhaiwhai which represents the feeder streams or source of the rivers.

The red line depicts papatūānuku (earth mother) or the first layer of the earth.

The brown below the red is the soil.

As provided by the designer.

The Māori story of Te Upoko o te Ika



Wellington's earliest name – Te Upoko o te Ika a Maui or 'the head of the fish of Maui' – goes back to the Māori story of how Aotearoa New Zealand was created.

According to Māori the legendary navigator Maui hooked a giant fish that, when pulled to the surface, turned into the land form now known as the North Island or Te Ika a Maui. While the head is in Wellington, the tail or Te Hiku o te Ika is at the top of the North Island with the rest of the fish represented throughout different rohe.

Various geographical features in the Wellington Region are said to represent factors of this story and this map will help to make that connection. Look for the head of the fish/Te Upoko o te Ika, the mouth of the fish/Te Waha o te Ika, the eyes of the fish/Ngā Whatu o te Ika – you will see that one of the eyes is freshwater and that is Wairarapa Moana, and one is the saltwater eye represented by Te Whanganui a Tara – the Wellington Harbour. The Tararua ranges also represent the spine or backbone of the fish – Te Tuarā o te Ika.

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1 Introduction

Ka ora te wai

If the water is healthy

Ka ora te whenua

The land will be nourished

Ka ora te whenua

If the land is nourished

Ka ora te tangata

The people will be provided for

What defines a place? The features, the natural resources and the people.

What sustains a place? The way we interact with our environment.

The Natural Resources Plan for the Wellington Region (the Plan) is produced by the Wellington Regional Council (the Council) in accordance with the Resource Management Act 1991 (the RMA). It sets out the objectives, policies and methods for people and organisations that use the region's resources for a variety of purposes.

The Plan has been developed in collaboration with people from the diverse communities that make up the Wellington Region and have economic, spiritual, cultural and environmental interests in the region's air, land, water and coastal resources. The development of the Plan has been informed by an ongoing programme of engagement with stakeholders, mana whenua and the community around the review of the five existing regional plans (Regional Coastal Plan, Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and Regional Soil Plan).

Many people living and working within the region have made individual and collective efforts to protect and enhance the natural resources within the region. Examples include: reducing the use of open fires in urban communities; protecting habitat for native animals; and fencing waterways on farms. This plan will assist people in the region to take the next steps in looking after the regional environment. It provides for the sustainable development of the region's natural and physical resources.

Ara Tahi, ~~the Wellington Regional~~ Council's iwi partnership governance group, has stated that there is the need to care for the mauri, or life-giving properties, of the region, particularly the mauri of fresh and coastal waters on which everyone's well-being is dependent. This issue was identified by Ara Tahi and subsequently expressed in the Regional Policy Statement for the Wellington Region 2013 (the RPS). Kaitiakitanga is a traditional obligation to sustain the ecosystems of the natural world. Likewise, non-Māori groups and individuals in the region also speak of the duty of stewardship and the need to

look at the environment as a whole to achieve sustainable management of its many interconnected elements. In practical terms the common perspective shared by Māori and non-Māori alike is a dominant feature of this plan.

Much has been learned about how human activity affects the region's resources and how a comprehensive and integrated approach to natural resource management can be achieved by working collaboratively and using both regulatory and non-regulatory methods underpinned by scientific evidence. Recognising that there are several distinct catchment areas within the region, the Plan ~~the Wellington Regional~~ provides for a decentralised approach to establishing priorities and programmes within each of these catchments through the mechanism of catchment groups called whitua committees.

This chapter firstly provides an overview of the geographical and administrative characteristics of the Wellington Region; section 1.2 describes the collaborative approach of producing and implementing the Plan; section 1.3 contains the guiding principles of the approach; section 1.4 presents an explanation and overview of the whitua catchments and collaboration process; section 1.5 details the statutory background and other key inputs into the Plan; and section 1.6 discusses the values of water, the resource of greatest concern in the Plan.

1.1 Overview of the Wellington Region

The Wellington Region covers an area of 7,860km². It is bordered by the Tasman Sea, the Pacific Ocean and Cook Strait, and extends north to Ōtaki in the west and almost to Eketahuna in the east.

Māori who originally settled the Wellington area knew it as Te Upoko o te Ika a Maui, meaning “the head of Maui's fish”. The area was settled by Europeans in the early 1800s and the cities, coastal towns, rural centres and fertile farming districts are now home to around 490,000 people. Over a quarter of the region's population were born outside of New Zealand and consequently a diverse and vibrant culture is a significant aspect of the region.

The major natural features of the region include the rugged Riemutaka and Tararua Ranges; Wellington Harbour (Port Nicholson) and Te Awa Kairangi/Hutt River Valley; Te Awarua-o-Porirua Harbour; the rolling hill country of the Wairarapa; the coastal flats, valleys and river plains that surround the Ruamāhanga River; and one of New Zealand's largest fresh water bodies, Wairarapa Moana.

The region has six mana whenua and a large population of Māori from other parts of Aotearoa. With some of the oldest areas of human habitation in the country, the cultural landscape is rich with iconic sites and Māori associations dating back to some of the great explorers: Kupe, Tara, Haunui a Nanaia and others. The mana whenua who have worked as partners with the ~~Wellington Regional~~ Council in the development of the Plan, include the following six representative bodies of the region.

- Ngāti Kahungunu ki Wairarapa represented by Ngāti Kahungunu ki Wairarapa Trust

- Taranaki Whānui ki te Upoko o te Ika ~~a–Maui~~ represented by Port Nicholson Block Settlement Trust
- Ngāti Toa Rangātira represented by Te Rūnanga o Toa Rangātira Incorporated
- Te Ātiawa ki Whakarongotai represented by Ati Awa ki Whakarongotai Charitable Trust
- Ngāti Raukawa ki te Tonga represented by Ngā Hapū o Ōtaki
- Rangitāne o Wairarapa represented by Rangitāne o Wairarapa Incorporated

The region incorporates nine territorial authority areas: Wellington City, Hutt City, Porirua City, Upper Hutt City, Kāpiti Coast District, South Wairarapa District, Carterton District, Masterton District and part of Tararua District.

The region is home to the nation’s capital and has an economy characterised by knowledge-based sectors, including a dynamic information and technology sector, a large public sector, and well-established film and media industries. Manufacturing and construction makes up about 15% of the business activity in the region. The region also hosts a number of national research and education institutions.

Wellington provides the northern link for State Highway 1 and the main trunk railway between the North Island and the South Island. Wellington Harbour (Port Nicholson) is an important New Zealand port, particularly for imports such as fuel oils. Wellington Airport is the third biggest passenger airport in New Zealand.

The region also has a productive primary industry made up of a range of pastoral, forestry, crop and horticultural sectors, focused around the Ruamāhanga River Valley, the Wairarapa hill country and the Wairarapa and Kāpiti coasts.

1.2 Mahitahi – a work in partnership

In developing this plan a new approach has been taken, both through the establishment of Te Upoko Taiao – Natural Resource Management Committee (also referred to simply as Te Upoko Taiao) and active engagement and collaboration with the regional community to incorporate their interests and views in the Plan. This approach is referred to as mahitahi – a work in partnership between ~~Wellington–Regional~~ Council, mana whenua and the community. It is based on a commitment to active engagement, good faith and a commonality of purpose and is one of the guiding principles of the Te Upoko Taiao (see section 1.3 for the other guiding principles).

Te Upoko Taiao, formed by seven councillors and seven members recommended by the region’s mana whenua, was created in 2009 as an expression of the Treaty of Waitangi relationship at a regional level, enabling a mana whenua perspective in resource management policy direction. Te Upoko Taiao grew from Ara Tahī,

the partnership committee formed between mana whenua leaders and Wellington Regional councillors more than two decades ago.

Te Upoko Taiao sets a new standard for recognition of kaitiakitanga in regional resource management. ~~Wellington—Regional~~ Council delegated the responsibility to oversee the development of the Plan to Te Upoko Taiao and, as a result, the objectives, policies and methods contained in the Plan recognise shared values of both the Council and mana whenua. This is most clearly emphasised in new, shared objectives for regional water quality in this plan. The Plan requires that all water quality is maintained or is improved in order to provide for aquatic ecosystem health and mahinga kai, and for contact recreation and Māori customary use. It is anticipated that the process of achieving these objectives will not only improve water quality but support the role of mana whenua kaitiaki in regional resource management. The committee will also have an active role in implementing the Plan at a local and community level, ensuring an ongoing management partnership between the Council and mana whenua.

In 2010 the process to actively engage the wider community began. More than 1,400 people participated from the start of the process through a series of community workshops and online participation.

There are a number of other important regional partners who have a particular role to play in managing natural resources, including district and city councils, primary industry groups and community and interest groups. They have all played a significant role in the development of the Plan through workshops, and feedback on draft provisions and documents.

1.3 Guiding principles of Te Upoko Taiao

Te Upoko Taiao – Natural Resource Management Committee intends that the Plan will be achievable, practical and affordable for the region. The committee established a set of guiding principles (shown in Figure 1.1) that underpin the overall management approach of the Plan. These are:

Ki uta ki tai (connectedness) – managing natural and physical resources in a holistic manner, recognising they are interconnected and reliant upon one another

Wairuatanga (identity) – recognition and respect for mauri and the intrinsic values of natural and physical features, and including the connections between natural processes and human cultures

Kaitiakitanga (guardianship) – recognition that we all have a part to play as guardians to maintain and enhance our natural and physical resources for current and future generations

Tō mātou whakapono (judgement based on knowledge) – recognition that our actions will be considered and justified by using the best available information and good judgement

Mahitahi (partnership) – partnership between ~~Greater Wellington (Wellington Regional Council) Council~~ iwi (mana whenua) and the community, based on a commitment to active engagement, good faith and a commonality of purpose.

Principles to guide the review of regional plans and whaitua



Figure 1.1: Te Upoko Taiao’s principles to guide the review of the regional plans

The make-up of the committee and these guiding principles reflect an understanding that mana whenua, the ~~Wellington Regional~~ Council and the wider community all share the responsibility of caring for the region’s environment. Ongoing collaboration between regulators, resource users, mana whenua, the government and the wider community will be required is already in place and can be further built on to manage the region’s natural and cultural resources effectively.

Te Upoko Taiao has also specified that the Plan must be a document that meets the needs of its users, who are typically a wide range of people ranging from professional planners and consents officers to individual property owners. This means that the structure and content must be readable, functional and accessible.

1.4 Integrated catchment management

Integrated catchment management is the method used to manage resources in a coordinated way, from the mountains to the sea – ki uta ki tai.

The first step in integrated catchment management is the identification of values and associated outcomes at the catchment scale. Plan and programmes to reach these outcomes are also developed within the catchment context. Te Upoko Taiao has adopted an innovative model to ensure collaborative development of both regional and catchment-specific programmes and an integrated approach to the management of land and water resources. The emphasis is on the identification of local community values as a basis of decision-making. This model includes the establishment of committees for the five identified catchments which the Council has termed ‘whaitua’ (Figure 1.2). Each whaitua committee will have a majority of members from the local community, along with regional and city/district councillors and mana whenua representatives.

The whaitua committees will each continue to develop sections of the Plan related to their local catchment. This will form the basis of the Council’s programme to implement the National Policy Statement for Freshwater Management. The aim is to improve the integration of activities and achieve better resource management practices reflecting local aspirations. The whaitua committees will each develop an implementation programme which will include both regulatory provisions and non-regulatory programmes. The regulatory provisions will be included progressively by way of plan changes or variations in the whaitua-specific chapters of the Plan as the committees make their recommendations.

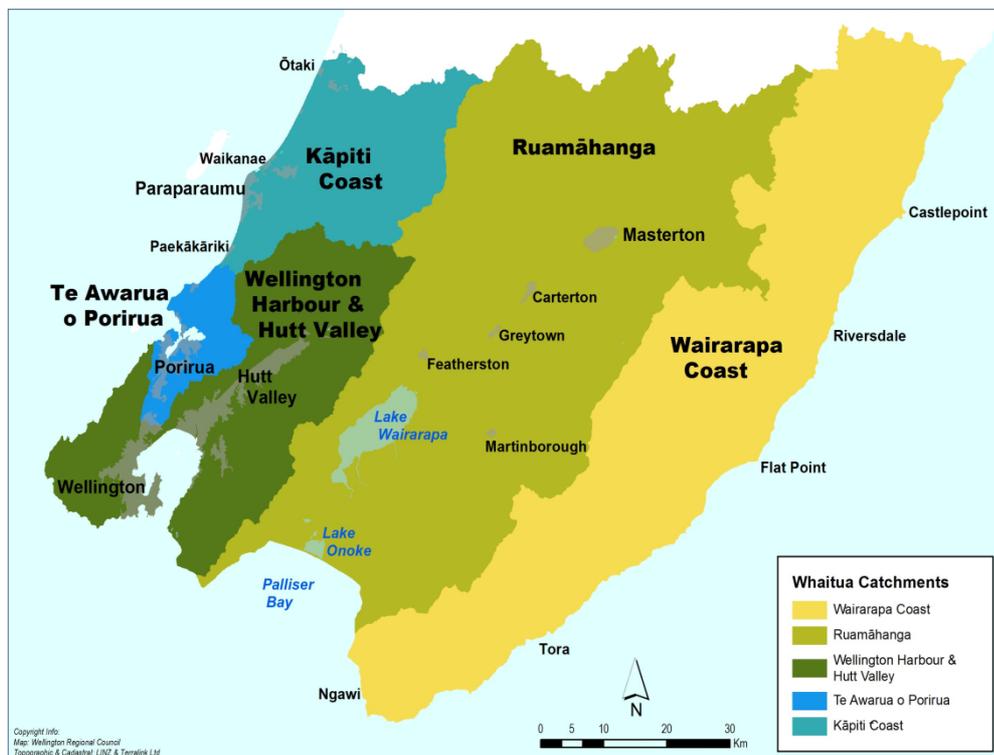


Figure 1.2: Whaitua catchments

1.5 Factors shaping this Plan

The Plan is shaped by the following principal factors:

- the statutory framework and the hierarchy of policy statements and plans provided for by the RMA;
- scientific and technical information on the state of the environment and the impacts of use and development on these receiving environments, and the views of stakeholders, including individuals, mana whenua, community groups and industry or sector organisations; and
- the guiding principles of Te Upoko Taiao – Natural Resource Management Committee and ~~Wellington Regional~~ Council (discussed above).

The first two factors are explained below.

1.5.1 Statutory framework

The purpose of the Plan is to assist ~~Wellington Regional Council~~ (referred to hereafter as the Council) to carry out its functions in order to achieve the purpose of the RMA. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined in the RMA as:

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

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment” (RMA, 199:65)*

Natural and physical resources in the RMA include land, water, air, soil, minerals and energy, all forms of plants and animals and all structures.

The RMA provides for a hierarchy of planning and policy instruments to give national, regional and district policy direction. These include national policy statements, national environmental standards, regional policy statements, and district and regional plans. The RMA also sets out responsibilities for the management of natural and physical resources.

Figure 1.3 shows the geographical boundaries of the policy statements and plans within this resource management framework. The Plan combines the regional plan (discussed below) with the Regional Coastal Plan, shown separately in the diagram.

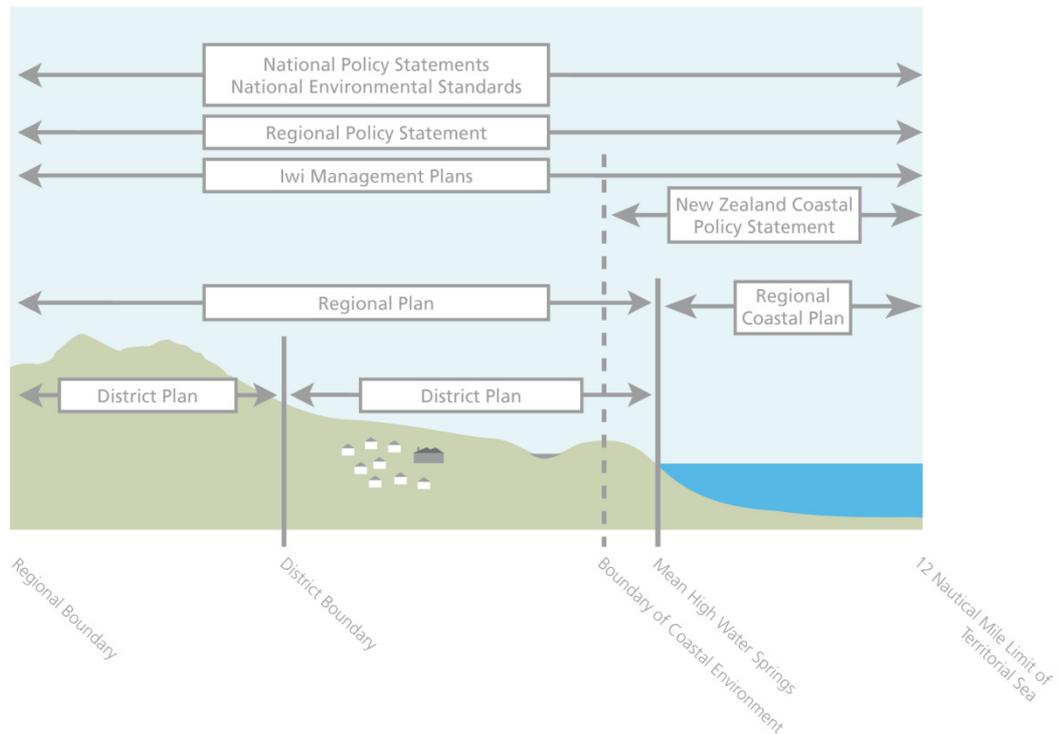


Figure 1.3: The resource management policy and planning framework

The purpose of regional plans as set out in the RMA is to assist regional councils to carry out their functions under section 30 of the RMA. The Regional Coastal Plan is the only mandatory regional plan; other regional plans are prepared at the discretion of the regional council. Regional plans must give effect to the respective regional policy statement, national policy statements and the New Zealand Coastal Policy Statement.

The Plan reflects the Council’s functions under section 30 of the RMA and covers the natural resources of fresh water, air, soil, and the coastal marine area. There are restrictions that apply to the use of these resources, as set out in Part III of the RMA. For some resources, any activity affecting the resource requires resource consent unless it is specifically allowed by a regional rule. For other resources, activities are allowed by right unless specifically restricted by a rule in a regional plan.

The restrictive presumption in the RMA applies to almost all activities that regional councils control. These include activities in the coastal marine area, activities in the beds of rivers and lakes, and uses of water, including discharges of contaminants to water or to land where the contaminant might enter water. Any person who wants to do anything covered by the restrictive presumption must obtain a resource consent unless there is a rule in a regional plan that allows the activity as a “permitted activity”.

Discharges of contaminants to land and air are restricted by the RMA only if they are from “industrial or trade premises”. Discharges from domestic premises or from vehicles require a resource consent only if a regional rule specifically requires it.

Uses of land such as earthworks, vegetation clearance, drilling, or building or demolishing structures follow the permissive presumption. These are allowed unless specifically restricted, and the restriction may be in a regional and/or district plan. Land use functions covered by regional councils relate to soil conservation and maintaining and enhancing water quality or water quantity, whereas district council functions cover all land uses.

Regional rules are therefore the main means of delivering policy in regional plans. They either allow something that the RMA regulates, or restrict something that RMA allows. Regional rules can be adopted only in regional plans; they cannot be adopted in a strategy or any other kind of plan.

National policy statements provide guidance on matters of national significance and are prepared by central government. New Zealand currently has four approved national policy statements: the National Policy Statement for Freshwater Management 2014, the National Policy Statement for Renewable Electricity Generation 2011, the New Zealand Coastal Policy Statement 2010 and the National Policy Statement on Electricity Transmission ~~2011~~ 2008. Under the RMA, ~~the Wellington Regional~~ Council must give effect to all relevant national policy statements when undertaking a plan review.

Of the existing national policy statements, the National Policy Statement for Freshwater Management 2014 (NPS-FM) is unusual in that it allows regional councils until 2025 to develop a plan to give effect to its requirements. In accordance with policy E1(c) of the NPS-FM, ~~the Wellington Regional~~ Council has a programme to progressively implement the requirements of the NPS-FM by 2025. The key feature of this programme is the catchment-based, collaborative community approach – the whitua process (as outlined in section 1.4).

Whaitua committees will work with their catchment communities to develop recommendations for objectives and limits related to water quality and quantity, as directed by Policy CA2 of the NPS-FM. Recommendations made by the whitua committees will be considered by ~~the Wellington Regional~~ Council for inclusion in the Plan by way of plan changes. By running two whitua processes at a time, ~~the Wellington Regional~~ Council plans to have all five whitua processes complete by 2023. In the interim, the Plan is not inconsistent with the NPS-FM and contains provisions that take the first step towards giving effect to the NPS-FM on a regional scale. The Plan provides a regional, transitional regime through which whitua-specific plan changes made between 2015 and 2025 will ultimately give full effect to the NPS-FM.

National environmental standards are also prepared by central government. They can prescribe technical standards, methods or other requirements for environmental matters such as electricity transmission, air quality, assessing and managing contaminants in soil to protect human health, and managing sources of human drinking water. The same standards are enforced by all councils, both regional and district. In some circumstances, councils can impose stricter standards than the national standard, if the standard provides that a rule may be more stringent. The RMA stipulates that a regional plan must not conflict with a provision in a national environmental standard.

The Regional Policy Statement for the Wellington [Region 2013](#) (RPS) provides an overview of the significant resource management issues for the region, along with objectives to address these issues, and policies and methods to achieve the objectives. The RPS includes four different types of policies. The first group of policies direct local authorities and require provisions to be included in district or regional plans. The second group needs to be referred to when changing, varying or replacing city, district or regional plans. The other two types of policies are as follows: policies that allocate responsibilities for indigenous biodiversity, natural hazards, and hazardous substances, and policies that outline non-regulatory actions.

[Natural and physical resources and processes do not stop at city, district or regional boundaries. Use, development and protection can also require compliance with rules in district plans, as well as rules in a regional plan.](#)

Iwi management plans have been prepared by the treaty partner iwi in the Wellington Region. These do not have any statutory weight in their own right, but they must be, and have been, taken into account in the preparation of this Plan. The jurisdiction of the iwi management plans is shown in Figure 1.3.

The RMA requires that the regional plan give effect to both national policy statements and the RPS. These documents have been key drivers in the development of the objectives and policies within this Plan.

1.5.2 Community views, scientific and technical information – identifying issues

A range of methods and tools have been used to identify the natural resource issues of the region, including environmental monitoring and research programmes, scientific research, community engagement, resource consent monitoring, mana whenua perspective, Māori and community consultation and rulings of the Environment Court.

The key natural resource management issues identified across the region relate to:

- the quality of fresh water in both urban and rural areas;
- the allocation and efficient use of water, including groundwater;
- the state of the coastal environment, particularly the impacts that land-use and degraded fresh water systems have on coastal and estuarine ecosystems; and
- the management of natural hazards, including earthquakes, flooding hazard and coastal erosion.

Other natural resource management considerations such as soil conservation, air quality, heritage protection and managing sites of significance are also addressed in the Plan.

How the objectives, policies and rules in the Plan address these considerations is described in the issues and evaluation reports (known as section 32 reports) associated with the public notification of the Plan.

1.6 Values of water in the Plan

Values of water in the Plan are defined as the worth or desirability to the community of a particular set of qualities, uses or outcomes. The values of water that have been identified during the development of the Plan are set out in Table 1.1 below.

The plan reflects a wide range of values from across society. Values have been brought into the Plan through consultation with the community, mana whenua and other stakeholders. The concept of shared values expressed by the committee is also fundamental to the Plan. Key directions on providing for values of water are also given in the objectives and policies of the RPS.

The discussion and development of the values is further informed by the way values are expressed in the NPS FM. The NPS FM is particularly important in describing values, and provides a framework for establishing freshwater objectives in respect of fresh water resources. It provides a management framework to guide the allocation of fresh water so that it may be used in a way that contributes to economic growth and at the same time maintains environmental integrity.

Key to the framework as specified in the NPS FM is the setting of national bottom lines (water quality outcomes or minimum standards) for two compulsory values – ecosystem health and human health for recreation. The NPS FM also has additional national values and minimal acceptable states, which are less prescriptive, for other values and uses of fresh water, such as for municipal and domestic water supply and navigation.

Table 1.1 illustrates shared values, intrinsic values, direct use values (that is, associated with a utility but not associated with opportunities for financial returns), and commercial/economic use values.

The values that have been identified are given practical application through the different objectives, policies and methods of the Plan, including rules and non-regulatory programmes.

In the table, the values have been sourced from the following: NPS FM; policies in the RPS; the RMA; mana whenua; and community and stakeholder engagement.

Table 1.1: Values of water

Shared values—recognising common values between Māori and non-Māori relating to the quality of water

Ecosystem health and mahinga kai

Contact recreation and Māori customary use

Intrinsic values – the inherent values of water bodies

Ecosystem health and ecosystem function

Biodiversity

Waterway form and character

Use values - direct

Human sustenance, health and well-being

Wai tapu

Infrastructure integrity

Active recreation

Waste removal and dilution

Transportation and navigation

Use values – commercial/economic

Food and fibre production

Commercial enterprise

Industrial processes

*Mai te kakano ka tipu te purapura, i ruia mai i Rangiātea
Mai ngā pūtaka ka ū mai te waiora, i ū mai i a Papatūānuku
Mai i ngā raureka ka ū mai te hau ora, i ū mai i a Ranginui
Ka puāwai, ka pū ngā hae. Ka pua ngā hua, ka kākano ano*

Ko tātau rā i tenei wā

Tihei mauri ora

Tihei mauri ora

From a seed a sapling grew, that was sown from Rangiātea
Through the roots flowed the waters of life, that came from Papatūānuku
Through the sweet leaves, came the breath of life of Ranginui
It blossoms and is pollinated it fruits and seeds again, hence as today to
continue the cycle

Rangiātea is the house of Io the Supreme Creator from where the kits of knowledge were given to Tāne the god of the forest. Ranginui is the Sky Parent and Papatūānuku is Mother Earth. This song is about the important role that people particularly young ones play in ensuring the survival of the culture.

Na Hirini Melbourne

2 Interpretation

2.1 How to use this Plan

The Plan is a combined regional air, land, water and coastal plan. This section explains how the Plan brings these elements together in objectives, policies, rules and methods.

Section 80(8) of the Resource Management Act 1991 (the RMA) requires regional councils to identify the provisions in the Plan that form part of the regional coastal plan. These provisions ~~also~~ require ministerial approval under section 28(b) of the RMA and are identified by an icon . Due to the integrated nature of the Plan, the coastal icon does not mean that the provisions marked with the coastal icon are exclusive to application in the coastal marine area. Unless otherwise stated, provisions Provisions marked with the coastal icon apply to ~~both~~ the coastal marine area and are also relevant to provisions managing air, land and water outside of the coastal marine area the areas landward of mean high water springs where the regional council has jurisdiction.

2.1.1 Objectives

The first part of this document (chapter 3) identifies the resource management objectives for air, land, water and coastal resources in the Wellington Region. These enable ~~the Wellington region~~ Council to carry out its functions under section 30 of the RMA. The objectives provide the direction and justification for the policies, rules and other methods.

The objectives should be read together to gain an understanding of what the Plan is seeking to accomplish, the natural resource management priorities for the region and the manner in which they are to be addressed. The objectives have been designed to work together, recognising both the complex interactions of natural systems and the needs of resource users, decision-makers and community to clearly understand the context in which resource use activities take place.

2.1.2 Policies

The policies are the course of action intended to achieve the objectives, as required under section 67(1)(b) of the RMA. Policies are implemented through other methods (rules or methods). They provide the rationale for the status that is given to activities in the rules (i.e. permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited). As with the objectives, the policies are intended to apply as a comprehensive suite, and must be read and considered together.

The policy order starts with general policies which could apply to a range of interests and values and then are grouped in relation to the regional council's management functions. The specific whitua policies are in the whitua chapters (chapters 7 to 11) of the Plan. As noted above, this does not imply a hierarchy and all policies of the Plan apply.

2.1.3 Rules

The rules implement the policies, as required under section 67(1)(c) of the RMA. ~~Under section 86B(3) of the RMA all rules in the Plan have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.~~

The rules have the force and effect of regulations in statute, which means that they are legally binding. They determine whether a person needs to apply for a resource consent or whether the proposed activity is permitted and does not require consent (known as permitted activities). The rules may also make some activities prohibited, which means there can be no resource consent application made for that activity. An activity needs to comply with all relevant rules in the Plan, unless the rule itself states otherwise.

Generally, the Plan does not repeat provisions from national environmental standards or regulations – these must be read in conjunction with the Plan provisions.

- Permitted activities do not require resource consent provided they comply with the specified conditions.
- Controlled activities require resource consent so that specific assessment of identified matters can be undertaken and resource consent conditions imposed to manage the effects of the activity. An application for a controlled activity must be granted.
- Restricted discretionary and discretionary activities may be declined or granted (with or without conditions) depending on the effects of the activity.
- Non-complying activities may be declined or granted (with or without conditions) depending on the effects of the activity. This activity status is often reserved for those activities where the potential adverse effects are great but do not necessarily warrant prohibition.
- Prohibited activities are not appropriate in any circumstance, and no resource consent application may be made for a prohibited activity.

To make it easier to apply for resource consents and to reduce the number of separate resource consents required to undertake any particular activity, the Plan has, where practicable, combined associated activities into one rule. The several permissions which may be required under section 9 and sections 12 to 15B of the RMA are included in one rule for which one application for resource consent can be made. Note that resource consent is not required for land use activities under section 9 of the RMA unless there is a rule in the Plan stating otherwise.

2.1.4 Other methods

Other methods also implement the policies in the Plan and are complementary to the rules, being a non-regulatory means of achieving the objectives. These

methods include the provision of information and guidance, resource investigations and similar programmes.

The non-regulatory other methods are set out in a separate chapter of the Plan (chapter 6) and are referenced throughout the relevant sections of the Plan.

2.1.5 Whaitua chapters

Chapters 7 to 11 contain the whaitua catchment specific provisions. The whaitua catchment boundaries are shown in the introductory chapter. These provisions will continue to be developed over time and included as plan changes and as variations. These chapters should not be read in isolation and the region-wide provisions in Chapters 2, 3, 4, 5 and 6 still apply.

2.1.6 Definitions, schedules and maps

The definitions in this chapter, and the schedules and maps at the end of the Plan, provide detailed information, references and links.

The Schedules (chapter 12) are ordered alphabetically except Schedule F1 which names rivers and streams in sub-catchments and therefore is listed from the west of the region to the east.

The maps (chapter 13) are included for indicative purposes only. For a more detailed complete version of the planning maps the online GIS overlay version of the relevant map needs to be consulted. The GIS overlay may include additional detailed information which may have implications on activities in the area concerned and as such, the hard copy map should not be relied on independently. The online version is available on the Wellington Regional Council website at <http://mapping.gw.govt.nz/gwrc/> and can be accessed from the Wellington Regional Council offices or public library.

There are instructions on how to use the GIS overlay on the Wellington Regional Council's website. For convenience, each site has a label on the GIS overlay which links back to the relevant schedule.

2.2 Definitions

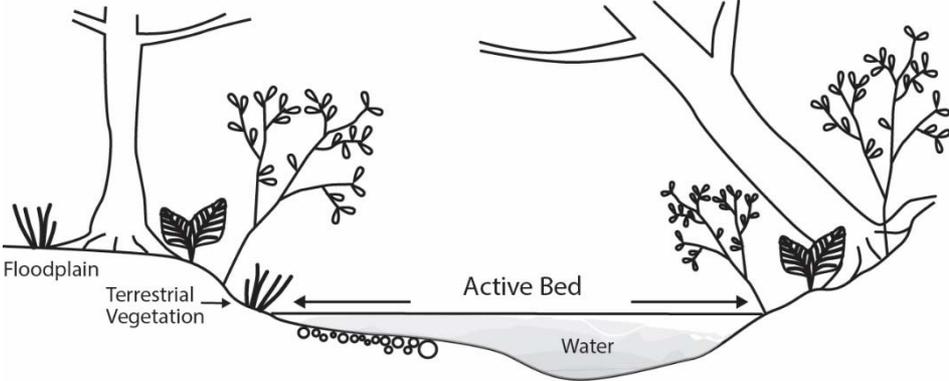


Definitions have the same meaning in the singular and plural.

Words that are defined as they are in the Regional Policy Statement for the Wellington Region 2013 have an asterisk * after the definition term.

Words defined in the Resource Management Act 1991 are not repeated.

Throughout the Plan reference is made to Ruamāhanga, Kāpiti and Ōtaki, the spelling of which has been agreed through consultation with local iwi. It is acknowledged that these are not the official names for these areas as listed in the New Zealand Gazetteer of Place Names which are Ruamahanga, Kapiti and Otaki respectively.

<p>Active beach (coastal marine area)</p>	<p>The area from the crest of either the foredune or, top of a storm berm or, an erosion scarp or, from the toe of a cliff or, an artificial embankment or, a seawall/revetment, out to the limit of wave breaking. It includes the dry backshore, the intermittently wet and dry foreshore and the subtidal nearshore seabed below mean low water springs. The active beach experiences change on a daily, weekly, monthly and inter-annual basis as a result of coastal processes including tides, nearshore currents, wave breaking and run up, sediment transport by wind, waves, fluvial and nearshore currents, erosion and accretion, and biological activity.</p>
<p>Active bed (rivers and streams)</p>	<p>For the purpose of determining stream width of permanently or intermittently flowing rivers and streams in Category 2 surface water bodies, the active bed is the area that is subject to at least frequent flows and is predominately un-vegetated and made up of silt, sand, gravel, boulders or similar material.</p>  <p>The diagram illustrates a cross-section of a river channel. On the left, a 'Floodplain' is shown with 'Terrestrial Vegetation' (trees and bushes) growing on it. The river channel itself is labeled 'Active Bed' and contains 'Water'. The 'Active Bed' is depicted as a relatively flat, un-vegetated area composed of sediment. The 'Water' is shown in the center of the channel. The right bank also shows 'Terrestrial Vegetation'.</p>
<p>Actively growing vegetation</p>	<p>Vegetation that is not dormant and is uptaking moisture and nutrients. This will occur during the growing season, which is defined as when potential evapotranspiration exceeds 1 mm/d for a period of at least one week without ground frosts occurring. Ground cover of vegetation should be greater than 80% unless specifically targeting vine or row crops.</p>
<p>Agrichemical</p>	<p>Any substance, whether inorganic or organic, human-made or naturally occurring, modified or in its original state, that is used in agriculture, horticulture or related activity to eradicate, modify or control flora and fauna. It excludes fertilisers, vertebrate pest control products, ethylene dibromide, ethylene oxide, methyl bromide, hydrogen cyanide, phosphine or chloropicrin and oral nutrition compounds.</p>
<p>Allocation amount</p>	<p>The calculated amount of water available for allocation listed in Tables 7.3-7.5, Tables 8.2 and 8.3 and Tables 10.2 and 10.3</p>

Ambient air quality	<u>Ambient air means the air outside building and structures. This does not include indoor air, air in the workplace, or contaminated air discharges from a source.</u>
Animal effluent	Dry or wet, liquid, solid or semi-solid, treated or untreated A slurry of faeces and urine from animals other than humans, including associated process water, washdown water, contaminants and sludge <u>but excluding solid animal waste.</u>
Anti-fouling coating	A coating applied to submerged surfaces to prevent or reduce accumulation of biofouling . Common types of anti-fouling coating are described in Appendix 2 of the <i>Anti-fouling and in-water cleaning guidelines</i> (June 2013) for Australia and New Zealand.
Aquatic ecosystem health	The degree to which an aquatic ecosystem is able to sustain its ecological structure, processes, functions, and resilience within its range of natural variability.
Aquifer	A geological formation through which water moves under natural conditions and is capable of yielding water at a sufficient rate to be a practical source of water. A permeable layer of rock, sand, or earth that contains water or allows water to pass through it.
Artificial farm drainage canal	An open (not piped) artificial watercourse, that is designed and constructed for the purpose of land drainage of surface or subsurface water and does not form part of a natural stream network. Channels designed and constructed to convey water only during rainfall events and which do not convey or retain water at other times (e.g. swales) are excluded from this definition. Note: maintenance of channels excluded from the definition of artificial farm drainage canal because they only convey water during rainfall events and do not convey or retain water at other times (e.g. swales) is not controlled by rules in the Plan.
Beach recontouring (beds of rivers)	The movement of gravel <u>in-situ natural river beach sediments (including gravel, rock, sand)</u> on a river beach <u>(part of the bed of the river not covered by water)</u> to remove obstructions to flow or to move material to protect an eroding bank edge and includes beach ripping to loosen the upper surface (armour) layer of the beach to encourage gravel movement.
Beach recontouring (coastal marine area)	The redistribution (using hand and/or mechanical methods) of in-situ, natural beach sediments in order to reshape the beach profile for hazards management, beach or dune restoration and may involve the reshaping of an erosion scarp to reduce its gradient.
Biodiversity mitigation	<u>Mitigation is the abatement (lessening or repair) of the adverse effects of an activity, undertaken in direct response to, and at the same location as, that activity, designed and implemented in accordance with principles set out in Schedule G1.</u>
Biodiversity offset	A measurable positive <u>environmental</u> outcome resulting from an action <u>actions</u> designed to compensate redress for the residual adverse effects on biodiversity arising from an activity <u>activities</u> after <u>appropriate</u> avoidance, <u>minimisation, and</u> remediation and mitigation measures have been taken applied . <u>The goal of a Biodiversity offsets differ from mitigation in so far as offsets require the demonstration of is to achieve no net loss, and preferably a net gain, of indigenous biodiversity values and preferably a net gain.</u> The principles to be applied when proposing and considering biodiversity offsets are provided in Schedule G2 (biodiversity offsetting).
Biofouling	Accumulation of aquatic organisms (micro-organisms, plants and materials) on surfaces and structures immersed in or exposed to the aquatic environment.
Biogas	A gas produced during the breakdown of biological matter.
Biosolids	Wastewater or wastewater sludge derived from a wastewater treatment plant that has been treated and/or <u>stabilised made stable</u> to the extent that it is able to be safely <u>handled, and beneficially applied to land.</u>

Bore	A structure or hole in the ground constructed for the purpose of: (a) investigating or monitoring the conditions below the ground surface, or (b) abstracting liquid substances from the ground, or (c) discharging liquid substances into the ground.
Break-feeding	<u>The feeding of Livestock in a paddock where access to on-pasture or forage in a section of the paddock where feed allocation is controlled by the frequent movement of an electric fence a temporary fence or other method to contain the livestock.</u>
Bulk solid material	<u>Means materials consisting of, or including, fragments that could be discharged as dust or particulate. These materials include but are not limited to: gravel, quarried rock, quarry overburden, fertiliser, coal, flour, rock aggregate, grains, compost and woodchip.</u>
Catchment based flood and erosion risk management activities	<u>Structures built, controlled or maintained by a local authority and associated activities for the purpose of protecting the community from flood or erosion hazard risk in accordance with a river management scheme or flood plain management plan.</u>
Catchment management sub-unit	The water bodies (rivers, Lake Wairarapa or groundwater) in each catchment management sub-unit row of Tables 7.3-7.5 (Ruamāhanga Whaitua).
Catchment management unit	The water bodies (rivers, Lake Wairarapa or groundwater) in: (a) Tables 8.2-8.3 (Wellington Harbour and Hutt Valley Whaitua); and (b) Tables 10.2-10.3 (Kāpiti Coast Whaitua), and (c) Each catchment management unit row of Tables 7.3-7.5 (Ruamāhanga Whaitua).
Category 1 surface water body	Category 1 surface water body includes, and is limited to: (a) <u>outstanding water bodies identified in Schedule A (outstanding water bodies), and</u> (b) sites with significant mana whenua values identified in Schedule C (mana whenua), and (b)-(c) inanga spawning habitat identified in Schedule F1b (inanga spawning habitats), and (c) (d) habitats for indigenous birds in rivers identified in Schedule F2a (birds-rivers) (d) <u>estuaries identified in Schedule F4 (coastal sites), and</u> (e) significant natural wetlands greater than 0.1ha identified in Schedule F3 (<u>identified</u> significant <u>natural</u> wetlands), and (f) <u>estuaries identified in Schedule F4 (coastal sites), and</u> (f) <u>outstanding water bodies identified in Schedule A (outstanding water bodies), and</u> (g) within 1,000m upstream of a surface water abstraction site for a community drinking water supply shown on Map 26.
Category 2 surface water body	Category 2 surface water body includes, and is limited to: (a) estuaries other than those identified in Schedule F4 (coastal sites), and (b) within the mapped lowland areas shown on Map 29, rivers that have an active bed width of 1m or wider, and drains greater than 1m wide, and water races , and (c) rivers and streams important to trout spawning habitat identified in Schedule I (trout habitat), and (d) natural lakes , but excludes any surface water body that meets the definition of a Category 1 surface water body .

Category A groundwater	Groundwater described as Category A groundwater in Table 4.1, 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 .
Category B groundwater (directly connected)	Groundwater described as Category B groundwater in Table 4.1, 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 .
Category B groundwater (stream depletion)	<u>The stream depletion portion of Category B groundwater described in Table 4.1 Category B groundwater Allocation (i) and (ii)</u>
Category B groundwater (not directly connected)	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 .
Category C groundwater	Groundwater described as Category C groundwater in Table 4.1, not directly connected to surface water at the locations generally shown in Figures 7.2-7.9 in chapter 7, 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 .
Cleanfill material	Material that when buried will have no adverse effect on people or the environment; includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: <ul style="list-style-type: none"> (a) combustible, putrescible, degradable or leachable components, and (b) hazardous substances, and (c) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices, and (d) materials that may present a risk to human health, and (e) liquid waste.
Coastal restoration plan	A programme designed to return or restore a coastal environment into as natural a state as possible, with the aim of allowing the coastal environment and/or active beach to function as a natural system, operating by natural coastal processes with minimal interference from human activities. Can involve all or some of the following activities, removal of exotic flora and fauna, removal of hard structures, rock, rubble or other introduced materials, beach re-nourishment (sand or gravel), dune or beach recontouring , re-introduction or enhancement of native plant species.
Commercial Port Area	<u>The areas shown on Map 32, Map 33 and Map 34 (unless otherwise specified).</u>

Common marine and coastal area	The marine and coastal area other than (a) specified freehold land located in that area; and (b) any area that is owned by the Crown and has the status of any of the following kinds: (i) a conservation area within the meaning of section 2(1) of the Conservation Act 1987, and (ii) a national park within the meaning of section 2 of the National Parks Act 1980, and (iii) a reserve within the meaning of section 2(1) of the Reserves Act 1977, and (c) the bed of Te Whaanga Lagoon in the Chatham Islands.
Community drinking water supply	A drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.
Community drinking water supply protection area	The area surrounding a community drinking water supply as shown on Map 26 and Map 27a, Map 27b and Map 27c. The community drinking water supply abstraction points are also identified in Schedule M1 (surface water supplies) and Schedule M2 (groundwater supplies).
Compost	Any combination of solid or semi-solid vegetable and animal waste that has fully decomposed and matured to a stabilised stable product. For the purposes of the Plan, compost does not contain human sewage, dead animals or animal parts.
Composting toilet	A sanitation system (also known as waterless compost toilet systems) which combines human waste with sawdust, peat or other organic material to support aerobic processing in a controlled manner.
Core allocation	The maximum amount of water that can be taken by all resource consents within a catchment management unit or catchment management sub-unit, other than the amount allowed by supplementary allocation. <u>The maximum amount of water available for allocation:</u> (a) <u>for the catchment management unit and catchment management sub-unit listed in the whaitua chapters shall not exceed whichever is the greater of:</u> (i) <u>The total amount allocated by resource consents at the time the resource consent application is lodged, or</u> (ii) <u>The allocation amounts provided for in Tables 7.3-7.5, Tables 8.2 and 8.3 and Tables 10.2 and 10.3, or</u> (b) <u>for rivers (and their tributaries) and Category A groundwater and Category B groundwater (stream depletion) not covered by (a):</u> (i) <u>50% of the mean annual low flow for rivers with mean flows of greater than 5m³/sec, or</u> (ii) <u>30% of the mean annual low flow for rivers with mean flows of less than or equal to 5m³/sec.</u>
Contaminated land	Land that has a hazardous substance in or on it that – (a) has significant adverse effects on the environment; or (b) is reasonably likely to have significant adverse effects on the environment. Note: Contaminated land means the same as Category III – Contamination Confirmed land in the Selected Land Use Register for the Wellington Region.
Crematoria	Appliances and machinery and furnaces for effecting cremation (the reduction to ashes of dead bodies or dead animals by burning), and includes any building in which any such appliances,

	machinery, or furnaces are fixed.
Cultivation	Any process that involves turning over, or tilling Disturbing the soil for the preparation of planting, growing, or harvesting, of a crops or pasture, excluding: (a) direct drilling practices, and (b) no-till or strip-tilling practices, and (c) harvesting, and (d) forestry, plantation forestry or harvesting.
Cultural impact assessment*	A report prepared to consider and assess the potential impacts of an activity on the cultural values within an area. A cultural impact assessment may include, but is not limited to, Māori history, Treaty claims and settlements, presence of significant sites, social effects and recommendations for avoiding, remedying and mitigating adverse effects. <u>Note: The Wellington Regional Council maintains a list of the contact details for iwi authorities.</u>
Dairy cows	A herd of cows <u>Cattle</u> reared for commercial milk production, including dry cows and heifers.
Deficit irrigation	Designing, operating and monitoring the irrigation system so that an irrigation event does not result in the soil moisture going above field capacity.
Dewatering	The abstraction <u>and/or the diversion</u> of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table. <u>Dewatering may include the installation of well points to a depth no greater than 5m below ground level (without the well points being considered as a bore).</u>
Distribution uniformity	The ratio of the average depth of irrigation water applied minus the average deviation from this depth, divided by the average depth applied, as would occur with overlapped areas wetted with irrigation water, expressed as a percentage.
Disposal	The abandonment of waste or other matter into the coastal marine area, including but not limited to: (a) dredge material, and (b) sewage sludge , and (c) fish processing waste from an onshore facility, and (d) ships and platforms or other man-made structures at sea, and (e) inert, inorganic geological material, and (f) organic materials of natural origins, and (g) bulky items consisting mainly of iron, steel and concrete.
Domestic fire	Any indoor domestic fire fuelled by solid materials (coal, or wood), and includes open fires , coal-burning heaters, woodburners, multi-fuel burners and wood/coal stoves.

<p>Drain</p>	<p>Any artificial watercourse, open or piped <u>watercourse</u>, designed and constructed for the purpose of land drainage of surface or subsurface water. Channels designed and constructed to convey water only during rainfall events and which do not convey or retain water at other times are excluded from this definition.</p> <p>Only for the purpose of Rule R121 (drain clearance) a drain also includes a highly modified watercourse or river and is channelled to such an extent that it has the characteristics of a farm drainage canal.</p> <p><i>Note:</i></p> <p><u>For the avoidance of doubt, channels or swales that only convey water during or immediately following rainfall events are not drains.</u></p> <p><u>Many watercourses that are considered to be drains are natural watercourses that have been highly modified, often over many decades, and include channels dug to drain natural wetlands.</u></p>
<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"> (a) cultivation of the soil for the establishment of crops or pasture, and (b) the harvesting of crops, and (c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and (d) the construction, repair, <u>upgrade</u> or maintenance of: <ul style="list-style-type: none"> (i) pipelines, and (ii) electricity lines <u>and their support structures, including the National grid,</u> and (iii) telecommunication structures or lines, and (iv) radio communication structures, and (v) firebreaks or fence lines, <u>and</u> (vi) <u>a bore or geotechnical investigation bore, and</u> (e) repair or maintenance of existing roads and tracks, <u>and airfield runways,</u> and (f) maintenance of orchards and shelterbelts, and (g) domestic gardening, and (h) repair, sealing or resealing of a road, footpath, driveway, <u>and</u> (i) <u>any earthworks or soil disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, and</u> (j) <u>discharge of cleanfill material.</u>
<p>Efficient allocation</p>	<p>Includes, <u>but is not limited to:</u></p> <ul style="list-style-type: none"> (a) Economic efficiency <u>(also known as allocative efficiency): allocating water to enable optimum economic outcomes (e.g. allocating water to the uses which have the highest value to society and create headroom).</u> (b) Technical efficiency: <u>maximising the proportion of water beneficially used in relation to that taken. It relates to the performance of a water-use system, including avoiding water wastage.</u> (c) Dynamic efficiency: <u>adjusting the use of water over time to maintain or achieve allocative efficiency (e.g. enabling movement of allocated water and minimising the transaction costs for doing so).</u>
<p>Emerging contaminants</p>	<p>Any synthetic or naturally occurring chemical, substance or microbial contaminant whose presence and significance were not previously detected (or were found in far lesser concentrations) in the environment but have the potential to cause adverse ecological and (or) human health effects. Includes; pharmaceutical products, disinfectants, antibiotics, antibiotic resistant genes, some viruses, hormones and endocrine disruptors.</p>

Ephemeral flow path	<p>A river that:</p> <p>(a) does not have an active bed, or</p> <p>(b)<u>(a)</u> has a bed that is predominantly vegetated, and</p> <p>(b) only conveys <u>or temporarily retains</u> water during or immediately following heavy rainfall events, and</p> <p>(c) does not convey or retain water at other times.</p> <p><u>Note: An ephemeral flow path is not a surface waterbody.</u></p>
Erosion prone land	The pre-existing slope of the land exceeds 20 degrees.
Existing discharge	<p>In the context of wastewater discharged into fresh <u>or coastal</u> water from a wastewater treatment plant or a wastewater network means:</p> <p>a) a discharge already authorised by <u>an existing resource consent</u> resource consent at the time of application for a new resource consent relating to the same <u>or similar</u> activity, <u>and / or</u></p> <p>b) <u>discharges from previously occurring heavy rainfall event overflows from a wastewater network.</u></p>
Existing resource consent	<p>An existing resource consent is:</p> <p>(a) an existing resource consent which has been given effect to, or</p> <p>(b) an existing resource consent which has not been given effect to and has not lapsed, or</p> <p>(c) an expired resource consent continuing to be exercised under section 124 of the Resource Management Act 1991.</p>
Fallow land	Land that is not in use and where vegetation is not active. It is land that is usually part of a cropping rotation that has been ploughed and is waiting sowing.
Farm refuse dump	A disposal site located on a property used to dispose of household and/or farm waste generated on that property .
Fertiliser	<p>(a) A solid or fluid substance or biological compound, or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly animals through the application to plants or soil of any of the following:</p> <p>(i) (a) Nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, or and sodium as major nutrients, and or</p> <p>(ii) (b) Manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, or and selenium as minor nutrients, and</p> <p>(iii) (c) Fertiliser additives to facilitate the uptake and use of nutrients, and</p> <p>(b) Includes non-nutrient attributes of the materials used in fertiliser, but</p> <p>(c) <u>does not include: compost or substances that are plant growth regulators that modify the physiological functions of plants-, animal effluent, biosolids, compost, or solid animal waste.</u></p>
Field capacity	The moisture content of soil when the addition of further water would result in saturation and/or drainage of water from the soil.
Flood debris	<u>Material deposited on the river or lake bed as a result of wreckage or destruction resulting from flooding. Flood debris can include trees, slip debris, collapsed banks, deposited vegetation, and the remains of structures, but does not include gravel, sand or other natural bed material.</u>

Flushing flows*	High river flows, usually associated with rainfall, which flush out the river system. These can be artificially induced as a mitigation measure in rivers where flows have been lowered by dams or large abstractions. References in provisions to 'frequency of flushing flows ' is to the average annual frequency of flows that exceed three times the median flow .
Frost prevention device	A burning device used for the purpose of preventing frost damage. The device has a centrally located fuel source and discharges contaminants into air via a chimney.
Fumigant	Means a chemical, which at a specific temperature and pressure can exist in a gaseous state in sufficient quantities to be lethal to a pest organism and which is an approved substance under the Hazardous Substances and New Organisms Act (1996).
Functional need	When an activity is dependent on having its location in the coastal marine area or in the beds of lakes and rivers.
Geotechnical investigation bore	Any bore constructed to provide information about soil, sediment or rock.
Good management practice	Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Examples of Good management practice guidelines can be found on the Wellington Regional Council's website http://www.gw.govt.nz/good-management-practice/ .
Greywater	Untreated liquid wastewater from a domestic source, such as from household sinks, basins, baths, showers and similar appliances but does not include any toilet, faecal matter or urinal wastes.
Groundwater directly connected to surface water	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.
Groundwater allocation not directly connected to surface water	Category C groundwater and the component of category B groundwater that is not directly connected to surface water and not part of the surface water allocation amount. The amount of groundwater available to be allocated from: <u>High connection (Category B) groundwater (excluding stream depletion portion)</u> <u>Moderate connection (Category B) groundwater, or</u> <u>Limited Connection (Category C) groundwater.</u>
Group drinking water supply	A registered drinking water supply that is recorded in the drinking water register maintained by the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides more than 25 people with drinking water for not less than 60 days each calendar year.
Gully	A channel or small valley especially one cut by heavy rain.
Harbour and pilotage limit	<u>The area shown on Map 49.</u>
Hard hazard engineering *	Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls , revetments or bulkheads that are designed to prevent erosion of the land. Also referred to as 'structural engineering'.
Hazard Risk*	<u>A combination of the probability of a natural hazard and the consequences that would result from an event of a given magnitude. Commonly expressed by the formula: Hazard risk = hazard x vulnerability.</u>

<p>Hazard risk management strategy</p>	<p>A coherent, integrated framework for the management of a hazard risk, normally developed by a local authority or appropriately qualified agency, and including some or all of the following elements: hazard and hazard risk identification, impact assessment, potential mitigation works (costs/impacts/maintenance), assessment of environmental effects, assessment of alternate options, cost-benefit analysis, budget allocation; community engagement and implementation plan.</p> <p>The scale of a hazard risk management strategy should reflect the scale of the proposed development or activity.</p>
<p>Hazardous air pollutant</p>	<p>Any substance known or suspected to cause a significant adverse effect on human health or to the environment due to its toxicity, persistence in the environment, tendency to bio-accumulate or any combination of these things. Hazardous air pollutants are identified in Schedule L2 (air pollutants).</p>
<p>Hazardous substances</p>	<p>Unless expressly provided otherwise by regulations, any substance</p> <p>(a) with one or more of the following intrinsic properties:</p> <ul style="list-style-type: none"> (i) explosiveness: (ii) flammability: (iii) a capacity to oxidise: (iv) corrosiveness: (v) toxicity (including chronic toxicity): (vi) ecotoxicity, with or without bioaccumulation; or <p>(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a).</p> <p>Note: this definition is from the Hazardous Substances and New Organisms Act 1996.</p>
<p>Hazardous waste</p>	<p>Waste that contains:</p> <p>(a) a hazardous substance, or</p> <p>(b) an infectious substance, or material known or reasonably expected to contain pathogens, including bacteria, viruses, rickettsia, parasites, fungi or recombinant micro-organisms (hybrid or mutant) that are known, or reasonably expected, to cause infectious disease in humans and animals that are exposed to them, or</p> <p>(c) radioactive material that meets the definition in section 2 of the Radiation Protection Act 1965</p>
<p>Health needs of people</p>	<p>The amount and quality of water needed to adequately provide for people's hygiene, sanitary and domestic requirements. It does not include:</p> <p>(a) water used outside, e.g. for irrigation, vehicle or house washing or hosing but not including water consumed by animals, or</p> <p>(b) water used by industry as process water or cooling water.</p>
<p>High hazard risk areas (also known as areas at high risk from natural hazards)</p>	<p>For the purposes of the Plan, all areas in the coastal marine area and the beds of lakes and rivers are high hazard risk areas.</p>
<p>High risk soils</p>	<p>Soils with:</p> <ul style="list-style-type: none"> (i) a high degree of preferential flow, or (ii) artificial drainage or coarse structure, or (iii) with infiltration or drainage impediments, or (iv) soils on rolling/sloping country Slope of more than 7 degrees

Highly modified river or stream	<p>For the purposes of Rule R121 only, means a river or stream that has been modified and channelled <u>for the purpose of land drainage of surface or sub-surface water and has the following characteristics: to the extent that it has the characteristics of (in form or function) an artificial farm drainage canal.</u> For the purposes of this definition, the characteristics of a farm drainage canal are considered to include that;</p> <ul style="list-style-type: none"> • it has been channelled into a single flow, <u>and</u> • the channel <u>has been straightened is straight, with no 'natural curves', and</u> • the channel is mechanically formed with straight or steeply angled banks, <u>and</u> • it is maintained to keep the water table at least 0.3m below the root zone of the surrounding pasture, and • that it exhibits these characteristics for at least its entire length through the property in which the <u>activity is being carried out watercourse is being assessed, and</u> • <u>it is not managed as part of a stormwater network and is not a water race.</u> <p><u>Note:</u> For the avoidance of doubt, this definition does not include channels or swales that only convey water during, or immediately after rainfall events, or water races and the stormwater network are not Highly modified rivers or streams.</p>
Huanga	The positive attributes of an entity or water body.
<u>Hutt community drinking water supply catchment</u>	<p><u>The area shown on Map 27b from which surface water or groundwater may flow to and impact the quality of the community drinking water supply.</u></p> <p><u>Note: Policy P69 applies in this catchment</u></p>
In-water cleaning	The physical removal of biofouling and/or anti-fouling coating surface deposits from submerged surfaces. In-water refers to the parts of a vessel or movable structure that are either below the load line or normally submerged and/or are coated in anti-fouling coating .
Kaupapa Māori	The principles, values or philosophies of Māori culture.
Ki uta ki tai	From the mountains to the sea, inclusive of the whole catchment.
Lambton Harbour Area	The area shown on Map 32.
<u>Livestock</u>	<u>Domestic Farm animals, such as cattle or horses, raised for home use or for profit. For the purpose of Rule R97 and Rule R98 of the Plan livestock does not include horses while they are being used for transportation, or bird species.</u>
Large scale generator	Any boiler, furnace, engine or other device designed to burn for the primary purpose of energy production having a net heat or energy output of more than 40kW, but excluding motor vehicles , trucks, boats and aircraft. This definition excludes domestic fires .
Low energy receiving environments*	Aquatic environments with little flushing action from tides, river flows, or wave action. For example, protected harbours and bays.
<u>Low pressure spray irrigation</u>	<u>Irrigation at a pressure less than 30m water head (300kPa or 3 bars).</u>
<u>Macrofouling</u>	<u>Is any organism (excluding goose barnacles) not included in the definition of microfouling.</u>
Mahinga kai	The customary gathering of food and natural materials, the food and resources themselves and the places where those resources are gathered.
Mana*	Respect, dignity, influence and/or authority associated with the energies and presences of the natural world, as well as of people. It is an essence, presence or energy and is linked to mauri

	and so can be lost, diminished or restored, innate, developed or won.
Mana whenua	Māori with ancestral claims to a particular area of land and resources. Literally, translated as “authority over the land”. Whanau, hapu and iwi are mana whenua of a particular rōhe, while Māori are tangata whenua of Aotearoa (New Zealand).
Māori customary use	The interaction of Māori with fresh and coastal water for cultural purposes. This includes the cultural and spiritual relationships with water expressed through Māori practices, recreation and the harvest of natural materials.
Mātauranga Māori	Knowledge developed and/or adopted as part of the Māori knowledge continuum.
Mauri	An energy or life force that mana whenua consider exists in all things in the natural world, including people. Mauri binds and animates all things in the physical world. Without mauri , mana cannot flow into a person or object.
Mean annual low flow (MALF)	The naturalised average of the mean annual lowest flows measured in each year of a full site record with a duration of seven days.
Median flow	If the full flow record for a river is ranked from lowest to highest flows, the median flow is the middle of those ranked values. That is, the median is the flow rate that is exceeded 50% of the time.
Microfouling	<u>Is a layer of microscopic organisms including bacteria and diatoms and the slimy substances they produce which is often referred to as a ‘slime layer’.</u>
Mineral*	<u>As defined in the Resource Management Act.</u> <u>The same meaning as in section 2(1) of the Crown Minerals Act.</u>
Minimum flow	Has the meaning contained in the definition of minimum flow or water level .
Minimum flow or water level	The flow or water level at which abstraction from a river or groundwater directly connected to surface water Category A groundwater or Category B groundwater (as described in Table 4.1 Restrictions (i) and (ii)) is restricted by Wellington Regional Council (or required to cease). The flow in a river or water level in a lake may naturally drop below the interim minimum flow or water level following the restriction/suspension of abstractions.
Minimum water level	Has the meaning contained in the definition of minimum flow or water level .
Mobile sources	A mobile source that discharges contaminants into air including, but not limited to, motor vehicles (cars), trucks, light utility vehicles, buses, aircraft, trains, vessels (boats), and lawn mowers, port mobile plant, and forklifts.
Motor vehicle	A man-made device for land transport, including, but not limited to cars, trucks, heavy machinery, motorbikes and bicycles, weighing up to 3,500kg and does not include prams, strollers, wheelchairs or other mobility scooters used by persons.
National electricity grid	National electricity grid <u>as defined by the Electricity Industry Act 2010. means the assets used or owned by Transpower New Zealand Limited, including:</u> (a) <u>transmission lines, and</u> (b) <u>electricity substations.</u>
Natural Character	<u>The natural attributes and characteristics of the coastal environment (including the coastal marine area), rivers, lakes and wetlands and those natural processes that contribute to those environments.</u>
Natural lake	A lake which is formed by natural geomorphic processes, whether modified by human activity or

	not.
Natural processes	Dynamic natural, physical and ecological relationships and events that are characteristically natural in their occurrence and effects, that act to shape the natural environment, its landforms and features, such as beaches, dunes, wetlands, and rivers; and including processes of: wave formation, breaking and dissipation; swash run-up; nearshore currents; sediment transport, erosion and deposition, flooding, river meandering, aggradation and mass movement.
Natural wetland	<p>Is a permanently or intermittently wet area, shallow water and land water margin that supports a natural ecosystem of plants and animals that are adapted to wet conditions, including in the beds of lakes and rivers, the coastal marine area (e.g. saltmarsh), and groundwater-fed wetlands (e.g. springs). Natural wetlands do not include:</p> <p>(a) damp gully heads, or wetted pasture, or pasture with patches of rushes, or</p> <p>(b) areas of wetland habitat <u>that have established</u> in or around bodies of water specifically designed, installed and maintained for any of the following purposes:</p> <p>(i) water storage ponds for</p> <p>a) public water supply, or</p> <p>b) hydroelectric power generation, or</p> <p>c) firefighting or</p> <p>d) irrigation, or</p> <p>e) stock watering or</p> <p>(ii) water treatment ponds for</p> <p>a) wastewater, or</p> <p>b) stormwater, or</p> <p>c) nutrient attenuation, or</p> <p>d) sediment control, or</p> <p>e) animal effluent, or</p> <p>(iii) beautification, landscaping, amenity, or</p> <p>(iv) drainage.</p> <p>See also significant natural wetland and outstanding natural wetland</p> <p>'Wetland' has the same meaning as in the RMA.</p> <p>Note that, because of the rarity of wetlands in the Wellington Region, all natural wetlands will meet the representativeness and rarity criteria listed in Policy 23 of the Regional Policy Statement 2013 and therefore meet the definition of significant natural wetland.</p>
Navigation protection areas	Those navigation protection areas shown on Map 49.
New discharge	<p>A discharge of wastewater from a wastewater treatment plant not previously authorised by resource consent.</p> <p>In the context of wastewater discharged <u>into</u> fresh <u>or coastal</u> water from a wastewater treatment plant or a wastewater network means a discharge <u>that is not an existing discharge. not authorised by resource consent at the time of application for a resource consent, or a discharge that was authorised by a resource consent at the time of application for a new consent but is to be increased or otherwise altered by a new resource consent.</u></p>
Ngā Taonga Nui a Kiwa	Those large freshwater and coastal entities from which mana whenua derive cultural and spiritual identity, their status as mana whenua and the associated responsibilities that come with that including those of kaitiaki. These places are the larger rivers and harbours that have a long history of multiple and complex resource use associated with large populations. Ngā Taonga Nui a Kiwa emphasises the importance of mana whenua relationships with rivers, lakes, harbours and estuaries.
Ngā Taonga Nui a	The huanga include the following:

<p>Kiwa Huanga (tohu/attributes)</p>	<p>(a) Te Hā o te Ora The breath of life (te hā o te ora) exists within our water bodies. Outstanding water bodies have an essence within them that provide for wairua and mauri. This hā supports these water bodies in their ability to provide kai, provide resources and heal the body and spirit.</p> <p>(b) Ngā Mahi a Ngā Tūpuna The interaction of mana whenua with fresh and coastal waters for mana whenua purposes. This includes the cultural and spiritual relationship with water expressed through mana whenua practices, recreation and the harvest of natural materials for mana whenua purposes. This also includes ancestral connections to the land passed down by tūpuna and whakapapa.</p> <p>(c) Te Mahi Kai Places where mana whenua manage and collect food and resources and undertake activities to uphold tikanga Māori. This is not only about the bounty collected but the transmission of knowledge through the act of collection.</p> <p>(d) Wāhi Whakarite Sites and places where particular practices and activities take place. These are often places that have been used for centuries that require a specific environment. These practices differ from day-to-day activities outlined above in Ngā Mahi a Ngā Iwi. These include very important and often restricted activities that are undertaken by Māori.</p> <p>(e) Te Mana o te Tangata Many water bodies are recognised by their neighbours as being of particular value to not only those that hold rangatiratanga of a water body but also to those who interact and rely on their neighbours for certain resources. In this case a requirement could be the support or endorsement by another iwi. This would provide an opportunity for whanaungatanga and mutual mana enhancement.</p> <p>(f) Te Manawaroa o te Wai Some water bodies have sustained intense pollution over a long period of time. In many cases these water bodies are seen as having a level of resilience unseen in other water entities. In the minds of tangata whenua the restoration of many of these water bodies provides an excitement. The potential of particular outstanding water bodies provides a special opportunity for iwi to be able to once again provide their guests with kai-rangatira, relearn practices of the past, and identify themselves with a water body that will be healthy.</p> <p>(g) Te Mana o te Wai Some water bodies of our region are inherently connected to our identity and the mana of the area. Te Whanganui a Tara and Wairarapa Moana are two outstanding examples.</p> <p>(h) Wāhi Mahara Wāhi mahara are places of learning and where local knowledge and histories are etched in the landscape. These are essentially a place that was central to intergenerational knowledge transmission of our tūpuna, and could be used as such again in our future.</p>
<p>Noise sensitive activities</p>	<p>Any residential activity, any early childhood education centre, or any hotel, motel or other accommodation activity.</p>
<p>Offal pit</p>	<p>A hole excavated on a rural property for the sole purpose of disposing of offal <u>dead animals or animal parts</u> from that property. An offal pit should not contain farm refuse dump contents.</p>
<p>Offset</p>	<p>A measurable positive outcome resulting from an action designed to compensate for the significant residual adverse effects on the environment arising from an activity after avoidance, remediation and mitigation measures have been taken.</p>

On-site domestic wastewater treatment and discharge system	A treatment and discharge system which receives, treats, and applies discharges wastewater to via a land application discharge system or to a holding tank on the same property that produces the wastewater .
Open fire	An open fire is any fire where the combustion chamber is not totally enclosed within a domestic building. This includes combustion chambers that are partially closed (e.g. has a door) and those that have a limited control of the primary or secondary air supply. Some common examples of open fires are fireplaces including brick or masonry, visors, and open hearths.
Operational requirement	When an activity needs to be carried out in a particular location or way in order to be able to function effectively and efficiently.
Outdoor burning	The combustion of materials in the open air, including, but not limited to, burning in a simple drum or single combustion chamber or waste incineration device, or on open ground.
Outstanding natural wetland	Outstanding natural wetlands are identified in Schedule A3 (outstanding wetlands).
Pit latrine	A disposal system for human waste in a hole dug in the ground, ranging from a simple slit trench to more elaborate systems with ventilation. Also called 'long-drop' or 'privies'.
Plantation forestry harvesting	An area of forest, whether of exotic or indigenous species, which is intended to be, or has been, established with the intent to harvest the trees for commercial purposes. Plantation forestry does not include any area of trees: (a) less than 2ha in extent, and (b) planted for primarily amenity purposes, for example landscape enhancement or animal shelter, (including farm shelter belts, whether or not greater than 2ha in extent) where the primary purpose of the trees is not commercial harvesting, and (c) planted primarily for erosion control, including riparian margin strips, where the primary purpose of the trees is not commercial harvesting, and (d) planted for scientific or research purpose, including established arboretums, and (e) intended to remain in perpetuity, for instance trees planted for purposes of permanent carbon accumulation, or trees contained in a QEII or similar covenant.
Plantation forestry	means a forest (native or exotic) deliberately established for commercial purposes, being – (a) at least 1 hectare of forest cover of forest species that has been planted and has or will be harvested or replanted; and (b) includes all associated forestry infrastructure; but (c) does not include – (i) a shelter belt of forest species, where the crown cover has, or is likely to have, an average width of less than 30m; or (ii) forest species in urban areas; or (iii) nurseries and seed orchards; or (iv) trees grown for fruit and nut crops; or (v) long term ecological restoration planting of forest species; or (vi) willows and poplars space planted for soil conservation purposes.
Point source discharge	The discharge of water or contaminants at a specific identifiable location (such as a factory or property) or from a fixed facility such as a pipe, ditch, or smokestack.
Polluted airshed	An airshed that with more than 1.0 average exceedances of the ambient PM ₁₀ standard for the immediately prior 5-year period, calculated from meaningful data for up to 5 years of monitoring data.

Port Noise Control Line	The line at or beyond which the rule controlling the emission of noise from port related activities applies and where the noise from port related activities is monitored.
Port related activities	Activities within the Commercial Port Area , the Lambton Harbour Area and on the adjacent land within the district including, but not limited to, the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, <u>other structures</u> , machinery and equipment used in connection with the port or its administration. Activities not directly connected to the operation of the port such as office activities, retail activities, and other non-port uses within the Commercial Port Area and the Lambton Harbour Area are excluded.
Property	Any contiguous area of land or freehold title in one ownership, including adjacent land separated by a road or river, held in one ownership and may include one or more certificates of title.
Pumped drainage scheme	A scheme for the drainage of land by the pumped collection, transfer and point source discharge of water to a surface water body , <u>but excludes a stormwater network or wastewater network.</u>
Pumping test	A test made by pumping a well for a period of time and observing the change in water level or pressure in the aquifer . A pumping test may be used to determine the capacity of the well and the hydraulic characteristics of the aquifer .
Qualifying development	Has the meaning as set out in section 14(1) of the Housing Accords and Special Housing Areas Act 2013.
Reclamation	Reclamation in the coastal marine area <u>or the bed of a river, lake, or wetland</u> means the creation of dry land, and <u>In the coastal marine area, reclamation</u> does not include coastal or river mouth protection structures such as seawalls or revetments, boat ramps, and any structure above water where that structure is supported by piles, or any infilling where the purpose of that infilling is to provide beach nourishment.
Regionally significant infrastructure*	Regionally significant infrastructure includes: <ul style="list-style-type: none"> • 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 National grid • facilities for the generation and/or transmission of electricity where it is supplied to the <u>National grid electricity and/or the local</u> distribution network, including the national grid <u>This excludes supply within the local distribution network.</u> • the local authority water supply network (<u>including intake structures</u>) and water treatments plants • the local authority wastewater and stormwater networks, and, systems, <u>including treatment plants and storage and discharge facilities and wastewater treatment plants</u> • the Strategic Transport Network • Wellington City bus terminal and Wellington Railway Station terminus • Wellington International Airport • Masterton Hood Aerodrome • Paraparaumu <u>Kapiti Coast</u> 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 wharflines.
Renewable energy generation	The construction, operation and maintenance of structures associated with renewable energy generation, including small and community-scale distributed renewable generation activities and

activities	the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.
Residual adverse effects	The negative effects on the environment remaining from an activity after avoidance, remediation, and mitigation measures have been taken.
Residual <u>hazard risk</u>*	The <u>hazard risk</u> to a subdivision or development that remains after implementation of <u>hazard risk</u> treatment or hazard mitigation works.
Restoration	The rehabilitation of sites, habitats or ecosystems to support indigenous flora and fauna, ecosystem functions and natural processes that would naturally occur in the ecosystem and locality.
Reverse sensitivity*	The vulnerability of an existing lawfully-established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activities, thereby creating the potential for the operation of such existing activity to be constrained.
Risk-based approach (natural hazards)	<p>A risk-based approach takes account of the intended purpose of a development, the likelihood of natural hazard events occurring the vulnerability and exposure of the site, use or development, the severity and consequences of potential hazard events and the costs and benefits of acting or not acting. An assessment <u>is required as part of a resource consent application in high risk areas and</u> needs to be commensurate with the size and scale of the use or development. The <u>hazard risk</u> can be evaluated on a scale from low to high or acceptable to intolerable assessed on the basis of:</p> <ul style="list-style-type: none"> (a) the scale, engineering design and intended life and use for the development, and (b) the likelihood, frequency and magnitude of natural hazard events that could potentially affect the site or development, and (c) the vulnerability and exposure of <u>both</u> the development <u>and areas around the development</u> to natural hazards, and (d) the severity of any physical, social, economic and environmental consequences that could arise from natural hazard events affecting <u>both</u> the site or development <u>and areas around the site or development</u>.
River class	<p>Classification of the region's rivers based size, nature of the catchment and substrate, described as:</p> <p>River class 1 Steep, hard sedimentary</p> <p>River class 2 Mid-gradient, coastal and hard sedimentary</p> <p>River class 3 Mid-gradient, soft sedimentary</p> <p>River class 4 Lowland, large, draining ranges</p> <p>River class 5 Lowland, large, draining plains and eastern Wairarapa</p> <p>River class 6 Lowland, small</p> <p>River classes are shown on Maps 21a-21e.</p>
Rongoā	Traditional healing plants.
<u>Saturated hydraulic conductivity</u>	<u>Hydraulic conductivity is the rate of water movement through the soil. In soils this is usually expressed as mm/hr or m/d. Saturated hydraulic conductivity relates to the rate of movement when measured within freestanding water, i.e. ponded water.</u>
Sensitive activity*	Activities which suffer should they experience adverse effects typically associated with some lawful activities. For example, dust or noise from a quarry or port facility, noise in an entertainment precinct, smells from a sewage treatment facility. Activities considered sensitive include any residential activity, any early childhood education centre, and any hotel or other accommodation activity. It may also include hospitals and respite care facilities.

Seawall	<u>A hard inflexible structure between the land-water interface along river mouths, shorelines, or lake edges made up of structural materials including concrete, steel, timber or rock. A seawall is a structure and includes rock revetment, groyne or bulkhead.</u>
Sensitive area	A sensitive area includes the following: (a) dwelling house, <u>or marae</u> and (b) educational facilities, and (c) amenity areas and public places, and (d) group drinking water supplies and community drinking water supply protection areas, and (e) surface water bodies and associated riparian vegetation, and (f) non-target plants, crops, <u>and bee hives</u> , which are sensitive to agricultural chemicals , and (g) organically certified properties, e.g. Bio-Gro, and (h) natural wetlands , outstanding water bodies listed in Schedule A and ecosystems and habitats with significant indigenous biodiversity values listed in Schedule F.
Serious water shortage	A serious temporary shortage of water that may require a water shortage direction to be issued under section 329 of the Resource Management Act 1991.
Significant contact recreation freshwater body	<u>A river or lake identified as having significant primary contact recreation values, identified in Schedule H1 and shown in Map 20.</u>
Significant mineral resources*	<u>Deposits of minerals, the extraction of which is of potential importance in order to meet the current or future mineral needs of the region or nation.</u>
Significant natural wetland	A natural wetland that meets one or more of criteria (a) to (d) listed in Policy 23 of the Regional Policy Statement 2013 being: representativeness; rarity; diversity; ecological context. Identified significant natural wetlands greater than 0.1ha from which livestock should be excluded under Rule R98 are listed in Schedule F3 (significant wetlands). <u>(Note - Schedule F3 lists identified significant natural wetlands that are greater than 0.1 ha for the purpose of managing livestock exclusion under Rule R97).</u>
Silage	A fermented, high-moisture stored fodder which can be fed to ruminants.
Sludge	The semi-liquid solids settled from wastewater or animal effluent storage systems.
SLUR Category III land	<u>Land classified as Category III in the Selected Land Use Register (SLUR) for the Wellington Region, being land where there is evidence that the land has a hazardous substance in or on it that has, or is reasonably likely to have, significant adverse effects on the environment.</u>
Soft engineering*	Works such as beach nourishment, <u>and</u> dune rebuilding <u>and riparian planting</u> that use non-structural materials (e.g. sand, cobbles, native plants) to mimic natural coastal <u>and riverine</u> features that can act to mitigate the impacts from natural hazards.
Soil moisture deficit	When the soil moisture is below field capacity. Also see deficit irrigation.
Solid animal waste	<u>Solid waste of animal origin other than humans, including excrement and associated vegetative material, but does not include dead animals or animal parts.</u>
Special housing area	<u>Means an area declared to be a special housing area under section 16 of the Housing Accords and Special Housing Areas Act 2013.</u>
Source control	Measures designed to prevent the generation of, and introduction of contaminants into, stormwater including by bunding or roofing high risk areas and avoiding the use of high risk

	contaminating products.
Specified materials	<p>Specified materials includes, but not limited to, the following:</p> <ul style="list-style-type: none"> (a) wood that is painted, oiled or stained, other than a minor and incidental amount, including but not limited to lead based painted wood, and (b) wood treated with copper, chromium and arsenic (CCA) or other chemicals, and (c) timber treated with preservatives or impregnated with chemicals, including but not limited to particleboard, MDF and chipboard, and (d) construction or demolition waste, and (e) all plastics, including but not limited to halogen or phosphorus-containing plastics, and (f) paint and other surface-coating materials, and (g) used or waste oil, and (h) tar or bitumen, and (i) all rubber, including but not limited to rubber tyres, and (j) materials containing asbestos, and (k) synthetic material, including but not limited to foams, fibreglass, and (l) motor vehicles or motor vehicle parts, or any other combination of metals and combustible substances, and (m) pathological, clinical veterinary or quarantine wastes or animal waste, but excluding animal carcasses or offal, other than minor or incidental amounts that are not the principal waste, and (n) sludge from industrial processes, and (o) municipal, commercial, institutional, domestic, or industrial waste. <p>This definition of specified materials excludes:</p> <ol style="list-style-type: none"> 1. the burning of pyrotechnics for private or public display or military training or for their authorised disposal by the New Zealand Defence Force, and 2. the burning of materials in burn boxes authorised by the New Zealand Defence Force, and 3. the burning of animal carcasses or plant material for biosecurity purposes. 4. the burning of bee hives as required under the Biosecurity Act 1993. 5. the burning of green waste.
Stabilised	The process of having made an area of disturbed soil resistant to erosion. This may be achieved by using indurated rock or through the application of base course, or grassing a surface that is not otherwise resistant to erosion. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once 80% vegetative ground cover has been established over the entire area.
Stepdown allocation	A reduction in the core amount of water allocated from a river below the median flow when resource consents for the total take and use of water exceeds the amount of water available above the interim minimum flow when river flows are low to protect the minimum flow.
Stock crossing point	The area of the bed or other land in a surface water body A location where livestock can cross a surface water body from one side to the other. The locations on each side of the surface water body are directly opposite each other and are not more than 20m wide.
Storm surge*	A temporary elevation in water at the shoreline caused by a combination of low air pressure, large waves (wave set-up) and strong onshore winds (wind set-up). Storm surge can elevate water levels by over 1m. A storm tide occurs when a storm surge coincides with high tide.

Stormwater	<p>Runoff that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the external surface of any structure, as a result of precipitation and including any contaminants contained therein.</p> <p><u>For the avoidance of doubt, stormwater excludes discharges associated with earthworks, vegetation clearance, break-feeding and cultivation that are managed under rules in section 5.4 of the Plan.</u></p>
Stormwater management strategy	<p><u>A strategic document that links stormwater asset management and land use planning with water quality outcomes. A stormwater management strategy describes how sub-catchments within a stormwater network will be managed, through time, in accordance with any relevant objectives identified in the Plan.</u></p>
Stormwater network	<p>The network of devices designed to capture, detain, treat, transport and discharge stormwater, including but not limited to kerbs, intake structures, pipes, soak pits, sumps, swales and constructed ponds and wetlands, and that serves more than one property.</p>
Strategic Transport Network	<p>The Strategic Transport Network comprises the following parts of the Wellington Region's transport network:</p> <ol style="list-style-type: none"> All railway corridors and 'core' bus routes as part of the region's public transport network identified in the Regional Land Transport Plan 2015, and All strategic roads that are classified as a National High Volume Road, National Road, or Regional Road as part of the region's strategic road network identified in the Regional Land Transport Plan 2015, and Any other road classified as a high productivity motor vehicle (HPMV) route identified in the Regional Land Transport Plan 2015, and All sections of the regional cycling network classified as having a combined utility and recreational focus identified in the Regional Land Transport Plan 2015. <p>The Strategic Transport Network is mapped in the Regional Land Transport Plan 2015.</p>
Sub-catchment	<p><u>In the context of provisions in the Ruamāhanga Whaitua (Chapter 8) sub-catchments are: the area of the Upper Ruamāhanga River catchment identified in Figure 8.2; the middle Ruamāhanga River catchment identified in Figure 8.5; and Lake Wairarapa and the Lower Ruamāhanga River catchment in Figure 8.8.</u></p>
Supplementary allocation	<p>In addition to core allocation, an amount of water available for taking and use by resource consents at times when the river is above the median flow.</p>
Surface water allocation	<p><u>The amount of water available for allocation as a limit that applies to Lake Wairarapa or a river up to its median flow and groundwater directly connected to the lake or river.</u></p> <p><u>The amount of water available for allocation, excluding supplementary allocation above median flow, from:</u></p> <ul style="list-style-type: none"> <u>Lakes, or</u> <u>Rivers, or</u> <u>Category A groundwater, or</u> <u>Category B groundwater (stream depletion)</u>

<p>Surface water body</p>	<p>Any river, lake, wetland, estuary, <u>outside of the coastal marine area</u>, open drain or water race, and its <u>their</u> bed. For the purpose of the Plan, surface water body does not include ephemeral flow paths and bodies of water designed, installed and maintained for any of the following purposes:</p> <ul style="list-style-type: none"> (a) water storage ponds for <ul style="list-style-type: none"> (i) fire fighting or (ii) irrigation, or (iii) stock watering, or (b) water treatment ponds for <ul style="list-style-type: none"> (i) wastewater, or (ii) stormwater, or (iii) nutrient attenuation, or (iv) sediment control, or (v) animal effluent, or (vi) operating sumps, quarries and gravel pits. <p>Also see definitions for Category 1, and Category 2 surface water bodies, and the definition for River class.</p>
<p>Taonga species</p>	<p>He tamaiti a ngā atua o tō tātou ao; a source of kai/toi/rongoā as identified by mana whenua.</p>
<p>Temporary structure</p>	<p>A structure in the coastal marine area which is not in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal.</p>
<p>Tikanga*</p>	<p>Customary practices and values, typically followed in order to protect mauri and/or mana.</p>
<p>Tohu</p>	<p>A sign, mark, symbol or distinguishing feature.</p>
<p>Tributary</p>	<p>A river or stream (of any order) that <u>flows into-connects to</u> a lake, or larger river or stream.</p>
<p>Tūpuna</p>	<p>Ancestors.</p>
<p><u>Unused water</u></p>	<p><u>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. Unused water does not apply to water allocated to a community or group drinking water supply.</u></p>
<p>Upgrade</p>	<p>Use and development to bring existing structures or facilities up to current standards <u>or to improve the functional characteristics of structures or facilities</u>, provided <u>the upgrading itself does not give rise to any significant adverse effects on the environment and provided</u> that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.</p> <p><u>In relation to renewable electricity generation activities, includes increasing the generation or transmission capacity, efficiency or security of regionally significant infrastructure and replacing support structures within the footprint of authorised activities.</u></p>

Vegetation clearance	<p>The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation.</p> <p>Vegetation clearance does not include:</p> <p>(a) <u>any vegetation clearance, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003, and</u></p> <p>(b) <u>any vegetation clearance or vegetation disturbance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</u></p>
Vegetative bank edge protection	The use of anchored willows or poplars to maintain an alignment of a river bank and prevent erosion. This includes tree groynes and tethered willows, but excludes rock linings or rock groynes.
Vertebrate toxic agent	Any substance, whether inorganic, human made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control vertebrate animals including possums, rats and mustelids. Vertebrate toxic agents are regulated under the Hazardous Substances and New Organisms Act 1996 <u>and the Agricultural Compounds and Veterinary Medicines Act (1997) and include vertebrate pest control products as identified (but not defined) in NZS 8409:2004 Management of Agrichemicals.</u> The Resource Management (Exemption) Regulations 2017 <u>identify some vertebrate toxic agents that are exempt from s15 of the RMA, subject to meeting conditions of the Regulations.</u>
Wairarapa Moana	Includes the <u>water and</u> beds of Lake Wairarapa and Lake Onoke, and the publicly owned reserves adjacent to the lakes, <u>the connections between the lakes and wetlands and the ecological systems within those areas.</u>
Waka	Canoe.
Waka ama	Outrigger canoe.
Wastewater	Liquid waste (and liquids containing waste solids) from domestic, industrial or commercial premises, including, but not limited to, human effluent, grey water , sullage and trade wastes, but excluding stormwater .
Wastewater network	A community reticulated wastewater system; including, <u>but not limited to, a network of devices,</u> pipes and pump stations, designed to accept and transport wastewater from properties to a treatment plant <u>and the discharge of treated wastewater from a wastewater treatment plant.</u>
Water race	<u>A watercourse as shown on Map 28.</u>
Water sensitive urban design	The integration of planning, engineering design and water management to mimic or restore natural hydrological processes in order to address the quantitative and qualitative impacts of land use and development on land, water and biodiversity, and the community's aesthetic and recreational enjoyment of waterways and the coast. Water sensitive urban design manages stormwater at its source <u>as one of the tools</u> to control runoff and water quality. The terms low impact design, low impact urban design and water sensitive design are often used synonymously with water sensitive urban design .
Wetland Restoration management plan	A plan <u>required</u> for managing the restoration of a wetland under Rule R106, where the restoration involves activities otherwise managed by Rules R98 , R107, R108, R109, and R110 <u>and R111.</u> Wetland Restoration management plans must be prepared in accordance with Schedule F3a (Wetland restoration management plans).
Whaitua	A traditional term for a <u>designated specific</u> area. The Plan utilises the term whaitua to describe a catchment or sub-catchment managed as an integrated system.
Whaitua	A community programme which sets out how land and water will be managed, including setting

Implementation Programme	of objectives and limits.
Whakapapa	Genealogy.
Whanaungatanga	Kinship, relationship.
Zone of reasonable mixing	<p>(1) For the purpose of permitted rules in the Plan, but excluding discharges to coastal water, the zone of reasonable mixing is:</p> <p>(a) in relation to <u>a</u> flowing surface water bodyies, whichever of the following is the least:</p> <p>(i) a distance 200m downstream of the point of discharge if the width of the wetted channel is greater than 30m at the point of discharge, or</p> <p>(ii) a distance equal to seven times the width of the wetted channel of the surface water body, but which shall not be less than 50m, or</p> <p>(iii) the distance downstream at which mixing of contaminants has occurred across the full width of the wetted channel of the surface water body, but which shall not be less than 50m, or</p> <p>(b) in relation to <u>a lakes and the coastal marine area,</u> a distance 15m from the point of discharge.</p> <p>(2) For the purpose of considering an application for discharge consented activities and for permitted activity discharges to coastal water, the zone of reasonable mixing is determined on a case by case basis in accordance with Policy P724.</p>

3 Objectives

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3.1 Ki uta ki tai: mountains to the sea

Objective O1



Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; **ki uta ki tai** – mountains to the sea.

Objective O2



The importance and contribution of air, land and water to the social, economic and cultural well-being of the community are recognised in the management and, where applicable, allocation of those resources.

Objective O3



Mauri is sustained and enhanced, particularly the **mauri** of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.

Objective O4



The intrinsic values of aquatic fresh water and marine ecosystems are recognised and the life supporting capacity of water is are recognised safeguarded.

Objective O5



Fresh water bodies and the coastal marine area, as a minimum, are managed to:

- ~~(a) safeguard aquatic ecosystem health and mahinga kai, and~~
- ~~(b) provide for contact recreation and Māori customary use, and~~
- ~~(c) in the case of fresh water, provide for the health needs of people.~~

3.2 Beneficial use and development

Objective O6

Sufficient fresh water of a suitable quality is available, for:

- ~~(a) the health needs of people, and~~
- ~~(b) the reasonable needs of livestock.~~

~~Objective O7~~

~~Fresh water is available in quantities and is of a suitable quality for the reasonable needs of livestock.~~

~~Objective O8~~

~~The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.~~

Objective O9



The recreational values of the coastal marine area, rivers and lakes and their margins and **natural wetlands** are maintained and enhanced.

Objective O10



Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.

~~Objective O11~~



~~Opportunities for Māori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and improved.~~

Objective O12



The social, economic, cultural and environmental benefits of **regionally significant infrastructure, and renewable energy generation activities** and the utilisation of mineral resources are recognised.

Objective O13



The Significant mineral resources use and the ongoing operation, maintenance and upgrade of **regionally significant infrastructure** and **renewable energy generation activities** in the coastal marine area and beds of rivers and lakes are protected from ~~new~~ incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.

3.3 Māori relationships

Objective O14



~~The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including: Māori relationships with air, land and water are recognised, maintained and improved.~~

- ~~(a) maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and~~
- ~~(b) maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and~~
- ~~(c) providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, and~~
- ~~(d) protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values.~~

Objective O15



Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.

~~Objective O16~~



~~The relationship of mana whenua with Ngā Taonga Nui a Kiwa is recognised and provided for.~~

3.4 Natural character, form and function

Objective O17



The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins ~~and natural wetlands~~ is preserved and protected from inappropriate use and development.

~~Objective O19~~



~~The interference from use and development on natural processes is minimised.~~

3.4b Natural hazards

Objective O20



The hazard risk, and residual hazard risk, ~~and adverse effects~~ from natural hazards and adverse effects of climate change, on people, the community and infrastructure are acceptable.

Objective O21



Inappropriate use and development in **high hazard risk** areas is avoided.

Objective O22



~~Hard engineering mitigation and protection methods are only used as a last practicable option.~~

3.5 Water quality

Objective O23



The quality of **groundwater**, water in ~~the region's rivers, lakes, natural wetlands~~ **surface water bodies**, **groundwater** and the coastal marine area is maintained or improved.

Objective O24



Rivers, lakes, **natural wetlands** and coastal water are suitable for contact recreation and **Māori customary use**, including by:

- (a) maintaining water quality, or
- (b) improving water quality in:
 - (i) **significant contact recreation fresh water bodies and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa** to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and
 - (ii) coastal water **and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa** to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and
 - (iii) all other rivers and lakes and **natural wetlands** to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.

Contact recreation and Māori customary use objectives

Table 3.1 Primary contact recreation and Māori customary use objectives in freshwater bodies ¹ in significant contact recreation freshwater bodies								
Water body type	E. coli cfu/100mL 95 th percentile ²	Cyanobacteria		Māori customary use	Toxicants and irritants	Water clarity	Sediment cover	Heterotrophic growths
		Planktonic ³	Benthic					
Rivers	≤ 540 at all flows below 3x median flow, September to April inclusive		Low risk of health effects from exposure	Fresh water is safe for primary contact and supports Māori customary use by the achievement of the huanga identified by mana whenua.	Concentrations of toxicants or irritants do not pose a threat to water users	1.6m	25%	No bacterial or fungal slime growths visible to the naked eye as plumose growths or mats
Lakes	≤ 540 September to April inclusive	< 1.8mm ³ /L biovolume equivalent of potentially toxic cyanobacteria OR < 10mm ³ /L total biovolume of all cyanobacteria						

¹ For guidance on the E.coli, cyanobacteria and toxicants and irritants objectives in Table 3.1 refer to Table 3.3 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

² Derived using the Hazen method from a minimum of 30 data points collected over three years

³ 80th percentile derived using the Hazen method from a minimum of three years data

Table 3.2 Secondary contact and Māori customary use recreation objectives with water in freshwater bodies ⁴				
Water body type	<i>E. coli</i> cfu/100mL median ⁵	Cyanobacteria		Māori customary use
		Planktonic ²	Benthic	
Rivers	≤ 1,000		Low risk of health effects from exposure	Fresh water supports Māori customary use by the achievement of the huanga identified by mana whenua.
Lakes		< 1.8mm ³ /L biovolume equivalent of potentially toxic cyanobacteria OR < 10mm ³ /L total biovolume of all cyanobacteria		
<u>Natural wetlands</u>	≤ 1,000			

Table 3.3 Contact recreation and Māori customary use objectives in coastal water ⁶			
Coastal water type	Pathogens Indicator bacteria/100mL 95 th percentile ⁷	Māori customary use	Shellfish quality
Estuaries ⁸	≤ 540 <i>E. coli</i>	Coastal water is safe for primary contact and supports Māori customary use by the achievement of the huanga identified by mana whenua ⁹	Concentrations of contaminants, including pathogens, are sufficiently low for shellfish to be safe to collect and consume where appropriate
Open coast and harbours ⁹	≤ 500 enterococci		

⁴ For guidance on the *E.coli*, cyanobacteria and toxicants and irritants objectives in Table 3.2 refer to Table 3.3 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

⁵ Based on a minimum of 12 data points collected over three years

⁶ For guidance on the pathogens and shellfish quality objectives in Table 3.3 refer to Table 3.6 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

⁷ Derived using the Hazen method from a minimum of 30 data points collected over three years

⁸ Excludes Te Awarua-o-Porirua Harbour and includes Lake Onoke. Estuaries, including river mouth estuaries, should be treated as an estuary when they are dominated by saline water, in which case Table 3.3 applies, and as rivers when they are dominated by fresh water, in which case Table 3.1 or 3.2 applies.

⁹ For guidance on the pathogens and shellfish quality objectives in Table 3.3 refer to Table 3.6 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

¹⁰ Includes Wellington Harbour (Port Nicholson) and Te Awarua-o-Porirua Harbour. Excludes the Lambton Harbour Area within the Commercial Port Area delineated in Maps 32, 33 and 34.

3.6 Biodiversity, aquatic ecosystem health and mahinga kai

Objective O25



~~To safeguard Biodiversity, aquatic ecosystem health and mahinga kai~~ in fresh water bodies and ~~the~~ coastal marine area ~~are safeguarded such that:~~

- (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity **aquatic ecosystem health** and **mahinga kai**, and
- (b) ~~restoration of aquatic ecosystem health and mahinga kai is encouraged, 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.~~

Note

~~Where the relevant **whaitua** sections of the Plan contain an objective on the same subject matter as Objective O25 (water quality, biological and habitat outcomes), the more specific **whaitua** objective will take precedence.~~

Aquatic ecosystem health and mahinga kai objectives

Table 3.4 Rivers and streams¹⁰

River class ¹¹	Macrophytes	Periphyton biomass ¹² mg/m ² chlorophyll a		Periphyton cover <i>Only applies when there is no periphyton biomass data</i>		Invertebrates ¹³ Macroinvertebrate Community Index		Fish	Mahinga kai species
		All rivers	Significant rivers ¹⁴	All rivers	Significant rivers ¹⁵	All rivers	Significant rivers ¹⁶		
1 Steep, hard sedimentary	Indigenous macrophyte communities are resilient and their structure, composition and diversity are balanced	≤ 50	≤ 50	<40%	<20%	≥ 120	≥ 130	Indigenous fish communities are resilient and their structure composition and diversity are balanced	Mahinga kai species, including taonga species, are present in quantities, size and of a quality that is appropriate for the area ¹⁷ Huanga of mahinga kai as identified by mana whenua are achieved.
2 Mid-gradient, coastal and hard sedimentary		≤ 120	≤ 50	<20%	<20%	≥ 105	≥ 130		
3 Mid-gradient, soft sedimentary		≤ 120*	≤ 50*	<40%	<20%	≥ 105	≥ 130		
4 Lowland, large, draining ranges		≤ 120	≤ 50	<40%	<20%	≥ 110	≥ 130		
5 Lowland, large, draining plains and eastern Wairarapa		≤ 120*	≤ 50*	<40%	<20%	≥ 100	≥ 120		
6 Lowland, small		≤ 120*	≤ 50*	<40%	<20%	≥ 100	≥ 120		

¹⁰For guidance on the macrophytes, periphyton biomass, invertebrates and fish objectives in Table 3.4 refer to Table 2.4 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015. GW/ESC-I-15/45. Shown on Maps 21a to 21e.

¹¹Shown on Maps 21a to 21e.

¹²The periphyton biomass objectives for River classes 3-5 and 6 marked with an asterisk (*) shall not be exceeded by more than 17% of samples in productive rivers and for all other River classes to be exceeded and by no more than 8% of samples in all other rivers, based on a minimum of three years of monthly sampling. Rivers are categorised as productive according to types in the River Environment Classification (REC). Productive rivers are those that fall within the REC: 'Dry' Climate categories (i.e. Warm-Dry (WD) and Cool-Dry (CD)) and the REC Geology categories that have naturally high levels of nutrient enrichment due to their catchment geology (i.e. Soft-Sedimentary (SS), Volcanic Acidic (VA) and Volcanic Basic (VB)). Therefore, productive rivers are those that belong to the following REC defined types: WD/SS, WD/VB, WD/VA, CD/SS, CD/VB, CD/VA.

¹³Rolling median based on a minimum of three years of annual samples collected during summer or autumn.

^{14, 11}Rivers or streams with high macroinvertebrate community health, identified in column 2 of Schedule F1 (rivers/lakes).

¹⁵Rivers or streams with high macroinvertebrate community health, identified in column 2 of Schedule F1 (rivers/lakes).

¹⁷Appropriate for the area refers to those species expected present based on natural distribution and habitat.

Lake type	Macrophytes	Phytoplankton	Fish	Mahinga kai species	Nutrients
All lakes¹⁹	Submerged and emergent macrophyte communities are resilient and occupy at least one third of the lake bed that is naturally available for macrophytes, and are dominated by native species	Phytoplankton communities are balanced and there is a low frequency of nuisance blooms	Indigenous fish communities are resilient and their structure, composition and diversity are balanced	Mahinga kai species , including taonga species , are present in quantities, size and of a quality that is appropriate for the area ²⁰ <u>Huanganga of mahinga kai as identified by mana whenua are achieved.</u>	Total nitrogen and phosphorus concentrations do not cause an imbalance in aquatic plant, invertebrate or fish communities

Groundwater type	Nitrate	Quantity	Saltwater intrusion
Directly connected to surface water	Nitrate concentrations do not cause unacceptable effects on groundwater-dependent ecosystems or on aquatic plants, invertebrate or fish communities in connected surface water bodies	The quantity of water is maintained to safeguard healthy groundwater-dependent ecosystems	The boundary between salt and fresh groundwater does not migrate between fresh water and salt water aquifers

¹⁸ For guidance on the macrophytes, phytoplankton, fish and nutrients objectives in Table 3.5 refer to Table 2.7 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

¹⁹ Except for intermittently closed and open lakes or lagoons (COLLs), such as Lake Oneke. These should be treated as a lake when they are in a closed state. When open to the coast, they should be managed as an estuary, in which case Table 3.8 applies.

²⁰ Appropriate for the area refers to those species expected present based on natural distribution and habitat.

²¹ For guidance on the nitrate, quantity and saltwater intrusion objectives in Table 3.6 refer to Table 2.10 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015, GW/ESCI-T-15/45.

Table 3.6 Groundwater ²¹			
Groundwater type	Nitrate	Quantity	Saltwater intrusion
Not directly connected to surface water	Nitrate concentrations do not cause unacceptable effects on stygofauna communities or other groundwater ecosystems		

Table 3.7 Natural wetlands ²²				
Wetland type	Plants Flora	Fish Fauna	Mahinga kai species	
Bog	Indigenous plant communities are appropriate ²³ to wetland type, are resilient and their structure, composition and diversity are balanced within an acceptable range of that expected under natural conditions	Indigenous fish faunal communities (including those of birds, fish, lizards and invertebrates) are appropriate ¹⁶ to wetland type are resilient and their structure composition and diversity are balanced within an acceptable range of that expected under natural conditions	Mahinga kai species, including taonga species, are present in, or are migrating through, the wetland and are in quantities, size and of a quality that is appropriate to the area ²⁴ Huangā of mahinga kai as identified by mana whenua are achieved.	
Fen				Nutrient status
Seepage				Low or very low
Saltmarsh ²⁵				Low to moderate
Swamp				Low to high
Marsh	Moderate to high	Moderate to high	Hydrology	
			Water table depth and hydrologic regime is appropriate to the wetland type	

²² For guidance on the flora, fauna, nutrient status and hydrology objectives in Table 3.7 refer to Table 2.13 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015. GW/ESCI-T-15/45.

²³ Appropriate refers to communities naturally found in the different wetland types, and indigenous species that are native to the area (i.e. species expected present based on natural distribution and habitat)

²⁴ Appropriate for the area refers to those species expected present based on natural distribution and habitat

²⁵ Refers to terrestrial component of saltmarshes, coastal saltmarsh is provided for by Table 3.8

Table 3.8 Coastal waters ²⁶							
Coastal water type	Macroalgae	Seagrass and saltmarsh	Invertebrates	Mahinga kai species	Fish	Sedimentation rate	Mud content
Open coast		NA				NA	
Estuaries and harbours ²⁸	The algae community is balanced with a low frequency of nuisance blooms	Seagrass, saltmarsh and brackish water submerged macrophytes are resilient and diverse and their cover is sufficient to support invertebrate and fish communities	Invertebrate communities are resilient and their structure, composition and diversity are balanced	Mahinga kai species, including taonga species, are present in quantities, sizes and of a quality that is appropriate for the area ²⁷ Huanga of mahinga kai as <u>whenua</u> are identified by <u>mana whenua</u> are achieved.	Indigenous fish communities are resilient and their structure, composition and diversity are balanced	The sedimentation rate is within an acceptable range of that expected under natural conditions	The mud content and areal extent of soft mud habitats is within a range of that found under natural conditions

²⁶ For guidance on the flora, fauna, nutrient status and hydrology objectives in Table 3.8 refer to Table 2.16 of the Technical guidance document: Aquatic ecosystem health and contact recreation outcomes in the Proposed Natural Resources Plan, Wellington Regional Council, 2015. GW/ESCI-T-15/45.

²⁷ Appropriate for the area refers to those species expected present based on natural distribution and habitat

²⁸ Intermittently closed and open lakes or lagoons (COLLs), such as Lake Oneke, should be treated as an estuary when they are in an open state. When closed to the coast, they should be managed as a lake, in which case Table 3.2 applies.

Objective O18



The ecological, recreational, **mana whenua**, and amenity values of estuaries are protected, including their sensitivity as **low energy receiving environments** ~~are~~ is recognised, and their health and function is restored ~~over time~~ to a healthy functioning state as defined by Table 3.8 Coastal waters.

~~Objective O26~~



~~The availability of **mahinga kai** species to support Māori customary harvest is increased, in quantity, quality and diversity.~~

Objective O27



Vegetated riparian margins are established, ~~and~~ maintained, or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.

Objective O28



The extent and significant values of **natural wetlands** ~~is maintained or increased,~~ are protected, and their condition is restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.

Objective O29



~~Use and development provides for the~~ The passage of fish and koura is maintained, and the passage of indigenous fish and koura is restored.

Objective O30

The habitat of trout identified in Schedule I (trout habitat) is maintained ~~and~~ or improved.

3.7 Sites with significant values

Objective O31



Outstanding water bodies and their significant values are protected, and restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.

Objective O32



Outstanding natural features and landscapes and their values are protected from inappropriate use and development.

~~Objective O33~~



~~Sites with significant **mana whenua** values are protected and restored.~~

Objective O34



Significant historic heritage values are protected from inappropriate modification, use and development.

Objective O35 

Ecosystems and habitats with significant indigenous biodiversity values are protected, and where appropriate restored to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.

Objective O36 

Significant geological features in the coastal marine area are protected from inappropriate use and development.

~~Objective O37 ~~

~~Significant surf breaks are protected from inappropriate use and development.~~

~~Objective O38 ~~

~~Identified special amenity landscape values are maintained or enhanced.~~

3.8 Air quality

Objective O39 

Ambient air quality is maintained or improved to the acceptable category or better in Schedule L1 (**ambient air**).

Objective O40 

Human health, **property**, and the environment are protected from the adverse effects of **point source discharges** of air pollutants.

Objective O41 

The adverse effects of odour, smoke and dust on amenity values and people's well-being are ~~reduced~~ minimised.

3.9 Soil

Objective O42 

Soils are healthy, and ~~productive,~~ retain a range of uses, and accelerated soil erosion is reduced.

3.10 Land use

Objective O44 

The adverse effects on soil and water from land use activities are minimised.

~~Objective O45 ~~

~~The adverse effects of livestock access on surface water bodies are reduced.~~

3.11 Discharges to land and water

Objective O46 

~~Discharges to land are managed to reduce~~ †The runoff or leaching of contaminants to water from discharges to land is minimised.

Objective O47 

The amount of sediment-laden runoff entering water is ~~reduced~~ minimised.

Objective O48



~~Stormwater networks and urban land uses are managed so that t~~The adverse quality and quantity effects of **stormwater** discharges from ~~the~~ **stormwater networks and urban land uses** are improved over time.

Objective O49



Discharges of **wastewater** to land are promoted over discharges to fresh water and coastal water.

Objective O50

Discharges of **wastewater** to fresh water are progressively reduced.

Objective O51



The ~~environment is protected from the adverse effects of discharges of hazardous substances and the creation of contaminated land is avoided is managed to protect human health, property and the environment.~~

Objective O43



~~Contaminated land is managed to protect human health and the~~ The environment is protected from more than minor adverse effects of discharges from contaminated land.

3.12 Water allocation

Objective O52

The efficiency of allocation and use of water is improved and maximised through time., ~~including by means of:~~

- (a) ~~efficient infrastructure, and~~
- (b) ~~good management practice, including irrigation, domestic municipal and industry practices, and~~
- (c) ~~maximising reuse, recovery and recycling of water and contaminants, and~~
- (d) ~~enabling water to be transferred between users, and~~
- (e) ~~enabling water storage outside river beds.~~

Objective O52A

Any further over-allocation of fresh water is avoided and existing over-allocation is phased out.

3.13 Coastal management

Objective O53



Use and development shall not be located in the coastal marine area ~~has~~ except where it has a **functional need** or **operational requirement** to be located there., ~~unless the use and development is in the Lambton Harbour Area.~~

Objective O54



Use and development makes efficient use of any occupied space in the coastal marine area.

Objective O55



The need for public open space in the coastal marine area is recognised.

Objective O56



New development in the coastal marine area is of a scale, density and design that is compatible with [its function and](#) its location in the coastal environment.

Objective O57



Use and development is appropriate in the **Lambton Harbour Area** when it is compatible with its surroundings and the Central Area of Wellington City.

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.

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.

4 Policies

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4.1 Ki uta ki tai and integrated catchment management

Policy P1: Ki uta ki tai and integrated catchment management



~~Air, Land, and water resources~~fresh water bodies and the coastal marine area will be managed recognising **ki uta ki tai** by using the principles of integrated catchment management. These principles include:

- (a) decision-making using the catchment as the spatial unit, and
- (b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and
- (c) coordinated management, with decisions based on best available information and improvements in technology and science, and
- (d) taking into account the connected nature of resources and **natural processes** within a catchment, and
- (e) recognising links between environmental, social, cultural and economic sustainability of the catchment.

Policy P2: Cross-boundary matters



The effects of use and development across jurisdictional boundaries shall be managed by having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan when assessing a resource consent for an activity and/or the effects of an activity that spans mean high water springs or other jurisdictional boundaries, including the beds of lakes and rivers.

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 effects and any adverse effects are potentially significant. ~~adverse effects the activity may have on the environment.~~

~~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 practicable and shall include:~~

- ~~(a) consideration of alternative locations and methods for undertaking the activity that would have less adverse affects, and~~
- ~~(b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and~~
- ~~(c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and~~
- ~~(d) using **good management practices** for reducing the adverse effects of the activity, and~~
- ~~(e) designing the activity so that the scale or footprint of the activity is as small as practicable.~~

~~Policy P5: Review of existing consents~~



~~The conditions of **existing resource consents** to discharge contaminants to fresh water or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1991 in respect of future changes to the Plan.~~

Policy P6: Synchronised expiry and review dates



Resource consents may be granted with a common expiry or review date within a **whaitua** or sub-catchment, if:

- (a) the affected resource is fully allocated or over-allocated, or
- (b) the exercise of the resource consent may impede the ability to implement an integrated approach solution to manage water quality, quantity or habitat within that **whaitua** or **sub-catchment**.

4.2 Beneficial use and development

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



~~The cultural, social and economic benefits of using land and water for:~~

- ~~(a) aquaculture, and~~

- ~~(b) — treatment, dilution and disposal of **wastewater** and **stormwater**, and~~
 - ~~(c) — industrial processes and commercial uses associated with the potable water supply network, and~~
 - ~~(d) — community and domestic water supply, and~~
 - ~~(e) — electricity generation, and~~
 - ~~(f) — food production and harvesting, and~~
 - ~~(g) — gravel extraction from rivers for flood protection and control purposes, and~~
 - ~~(h) — irrigation and stock water, and~~
 - ~~(i) — firefighting, and~~
 - ~~(j) — contact recreation and **Māori customary use**, and~~
 - ~~(k) — transport along, and access to, water bodies~~
- shall be recognised.

Policy P8: Beneficial activities



The following activities are recognised as beneficial and generally appropriate:

- ~~(a) — activities for the purpose of restoring natural character, **aquatic ecosystem health**, **mahinga kai**, outstanding water bodies, sites with significant **mana whenua** values, and sites with significant indigenous biodiversity values, and~~
- ~~(b) — activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and~~
- ~~(c) — day lighting of piped streams, and~~
- ~~(d) — removal of aquatic weeds, and pest plants and animal pests, and~~
- ~~(e) — the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular **livestock** access from a water body, and~~
- ~~(f) — the retirement, fencing and planting and management of **riparian margins**, and~~
- ~~(g) — the retirement of **erosion-prone land** from **livestock** access, and~~
- ~~(h) — maintenance, and use and upgrade of existing structures in the coastal marine area, **natural wetlands** and the beds of rivers and lakes, and~~
- ~~(i) — removal of dangerous or derelict structures in the coastal marine area, **natural wetlands** and beds of lakes and rivers, and~~

- ~~(j) structures necessary to provide for monitoring resource use or the state of the environment in the coastal marine area, natural wetlands and beds of lakes and rivers, and~~
- ~~(k) activities necessary to maintain safe navigation, and~~
- ~~(l) artworks that support and enhance public open space.~~

Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers 

Maintain and enhance ~~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:

- (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
- ~~(b)~~ provide access to significant surf breaks within the coastal marine area on a permanent or ongoing basis, or
- ~~(bc)~~ protect public health and safety, or
- ~~(ed)~~ 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

with respect to ~~(a)~~, and ~~(b)~~ and ~~(e)~~, 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.

Policy P10: Contact recreation and Māori customary use 

Use and development ~~The management of natural resources~~ shall ~~have particular regard to the actual and potential~~ avoid, remedy or mitigate any adverse effects on contact recreation and **Māori customary use** 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 **Māori customary use**, and
- (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 and surfing locations, and

- (d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area.

~~Policy P11: In-stream water storage~~

~~The benefits associated with the damming and storing of water within the bed of a river are recognised when:~~

- ~~(a) there are significant social and economic benefits for the region, and~~
- ~~(b) water remains available for multiple in-stream and out of stream uses concurrently, and~~
- ~~(c) the reliability of water supply improves as a result, and~~
- ~~(d) the damming and storage of water contributes to the **efficient allocation** and use of water.~~

Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities



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~~
- ~~(ed) the functional need and operational requirements associated with developing, operating, maintaining and upgrading **regionally significant infrastructure** and **renewable energy generation activities** in the coastal marine area and the beds of lakes and rivers.~~

Policy P12A: Benefits of mineral resource utilisation



When considering proposals that relate to the use of the Region's **mineral resources**, particular regard will be given to the benefits from the utilisation of those resources.

Policy P13: Providing for Existing regionally significant infrastructure and renewable electricity generation facilities activities



The use, development, operation, maintenance, and **upgrade** of existing **regionally significant infrastructure** and **renewable energy generation activities** are beneficial and generally appropriate provided for.

Policy P14: Incompatible activities adjacent to regionally significant infrastructure, ~~and~~ renewable electricity generation activities and significant mineral resources



Regionally significant infrastructure, ~~and~~ renewable energy generation activities and significant mineral resources 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.

Policy P15: Flood protection activities



The use, maintenance and ongoing operation of existing **catchment based flood and erosion hazard risk management activities** which manage the hazard risk of flooding to people, **property**, infrastructure and communities are ~~beneficial and generally appropriate~~ provided for.

Policy P16: New flood protection and erosion control



The social, cultural, economic and environmental benefits of new **catchment based flood and erosion risk management activities** are recognised.

4.3 Māori relationships

Policy P17: Mauri



The **mauri** of fresh and coastal waters shall be recognised as being important to Māori and is sustained and enhanced, including by:

- (a) managing the individual and cumulative adverse effects of activities that may impact on **mauri** in the manner set out in the rest of the Plan, and
- (b) providing for those activities that sustain and enhance **mauri**, and
- (c) recognising and providing for the role of kaitiaki in sustaining **mauri**.

Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa



The relationships between **mana whenua** and **Ngā Huanga o Ngā Taonga Nui a Kiwa** identified in Schedule B (**Ngā Taonga Nui a Kiwa**) will be recognised and provided for by:

- (a) having particular regard to the values and **Ngā Taonga Nui a Kiwa huanga** identified in Schedule B (**Ngā Taonga Nui a Kiwa**) when applying for, and making decisions on resource consent applications, and developing **Whaitua Implementation Programmes**, and
- ~~(e)~~(b) informing iwi authorities of relevant resource consents relating to **Ngā Taonga Nui a Kiwa**, and
- (c) recognising the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on **Ngā Huanga o Ngā Taonga Nui a Kiwa** or on the

significant values of a Schedule C site which is located downstream, and

~~(b)(d)~~ working with **mana whenua**, landowners, and other interested parties as appropriate, to develop and implement supporting iwi-led restoration initiatives within **Ngā Taonga Nui a Kiwa**, and

~~(d)(e)~~ the Wellington Regional Council and iwi authorities implementing **kaupapa Māori** monitoring of **Ngā Taonga Nui a Kiwa**.

Note

~~The **whaitua** committees will take all reasonable steps to reflect the **mana whenua** values and interests for **Ngā Taonga Nui a Kiwa** in the development of **Whaitua Implementation Programmes**.~~

Policy P19: Māori values



The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be minimised.

Policy P20: Exercise of kaitiakitanga



Kaitiakitanga shall be recognised and provided for by involving **mana whenua** in the assessment and decision-making processes associated with use and development of natural and physical resources including:

- (a) managing activities ~~natural and physical resources~~ in sites with significant **mana whenua** values listed in Schedule C (mana whenua) in accordance with **tikanga** and **kaupapa Māori** as exercised by **mana whenua**, and
- (b) the identification and inclusion of **mana whenua** attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and
- (c) identification of **mana whenua** values and attributes and their application through **tikanga** and **kaupapa Māori** in the maintenance and enhancement of **mana whenua** relationships with **Ngā Taonga Nui a Kiwa**.

Policy P21: Statutory acknowledgements



Wellington Regional Council will:

- (a) include any relevant statutory acknowledgments in Schedule D (statutory acknowledgements) for public information, and
- (b) have regard to any relevant statutory acknowledgment in Schedule D (statutory acknowledgements) when processing resource consent applications.

4.4 Natural form and function

4.4.1 Estuaries and harbours

4.4.2 Natural character

Policy P24: Assessing outstanding natural character



Areas of outstanding **natural character** in the coastal marine area, lakes and rivers and their margins and natural wetlands, will be preserved by:

- (a) identifying areas of outstanding natural and high natural character within the region, and
- (ab) avoiding adverse effects of activities on **natural character** in areas of the coastal marine area with outstanding **natural character**, and
- (c) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on all other areas of natural character.
- ~~(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and~~
- ~~(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and~~
- ~~(d) maintaining the high levels of naturalness of these areas, and~~
- ~~(e) 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.~~

Note

Method M24(b) applies to clause (a).

~~Policy P25: Natural character~~



~~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:~~

- ~~(a) the extent of human-made changes to landforms, vegetation, biophysical elements, **natural processes** and patterns, and the movement of water, and~~
- ~~(b) the presence or absence of structures and buildings, and~~
- ~~(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~~

- ~~(d) whether it is practicable to protect natural character from inappropriate use and development through:

 - ~~(i) using an alternative location, or form of development that would be more appropriate to that location, and~~
 - ~~(ii) considering the extent to which **functional need** or existing use limits location and development options.~~~~

4.4.3 Natural processes

Policy P26: Natural processes



~~Use and development will be managed to minimise effects on the integrity and functioning of **natural processes**.~~

4.5a Natural hazards

Policy P27: High **hazard risk** areas



Use and development, including hazard mitigation methods, in **high hazard risk areas** shall be avoided except where:

- (a) they have a **functional need** or **operational requirement** or there is no practicable alternative to be so located, and
- (b) the **hazard risk** to the development and/or **residual hazard risk** after hazard mitigation measures, assessed using a **risk-based approach**, is low, and
- (c) the development does not cause or exacerbate natural hazards in other areas, and
- (d) ~~interference with adverse effects on natural processes~~ (coastal, riverine and lake fluvial and lacustrine processes) ~~is are minimised avoided, remedied, or mitigated,~~ and
- (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 over at least the next 100 years, are taken into account.

Policy P28: Hazard mitigation measures



Hard hazard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable **hazard risk**, assessed using the **risk-based approach**, and;

- ~~(a) any adverse effects are no more than minor, or~~
- ~~(b) where the environmental effects are more than minor the works form part of a **hazard risk management strategy**.~~

~~the works either form part of a **hazard management strategy** or the environmental effects are considered to be no more than minor.~~

Policy P29: Effects of Climate change



Particular regard shall be given to the potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai, or to cause or exacerbate natural hazard events over at least the next 100 years that could adversely affect use and development including:

- (a) coastal erosion and inundation (**storm surge**), and
- (b) river and lake flooding and erosion, ~~or~~ aggradation, decreased minimum flows, and
- (c) **stormwater** ponding and impeded drainage, and
- (d) relative sea level rise, using ~~the best available guidance~~ reliable scientific data for the Wellington Region.

Policy P30: Natural buffers



Provide for the restoration or enhancement of ~~The adverse effects of use and development on~~ natural features such as beaches, dunes or wetlands that buffer development from natural hazards ~~shall be and ensure the adverse effects of use and development on them are~~ minimised.

4.5 Biodiversity, aquatic ecosystem health and mahinga kai

Policy P31: Biodiversity, Aquatic ecosystem health and mahinga kai



Biodiversity, Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:

Hydrology

- (a) ~~minimise adverse effects on~~ maintain or restore natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and **natural wetlands**, and

Water quality

- (b) maintain or improve water quality to meet the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O25, and

Aquatic habitat diversity and quality

- ~~(bc)~~ ~~minimise adverse effects on~~ maintain or restore 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 the coastal habitats marine area, and
- (d) restore the connections between fragmented aquatic habitats, and

Critical habitat for indigenous aquatic species and indigenous birds

- (ee) ~~minimise adverse effects on~~ maintain or restore habitats that are important to the life cycle and survival of indigenous aquatic species and the habitats of indigenous birds in the coastal marine area, natural wetlands and the beds of lakes and rivers and their margins that are used for breeding, roosting, feeding, and migration, and

Critical life cycle periods

- (df) minimise adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those aquatic species, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more significant, and

Riparian habitats

- (fg) ~~minimise adverse effects on~~ maintain or restore riparian habitats ~~and restore them where practicable~~, and

Pests

- (gh) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.

Policy P32: Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai 

~~Significant a~~Adverse effects on biodiversity, **aquatic ecosystem health** and **mahinga kai** shall be managed by:

- (a) avoiding significant adverse effects, and
- (b) where significant adverse effects cannot be avoided, remedying minimising them, and
- (c) where significant adverse effects cannot be ~~remedied, mitigating them avoided and/or minimised they are remedied, and~~
- (d) where significant residual adverse effects remain, it is appropriate to consider the use of **biodiversity offsets**.

Proposals for biodiversity mitigation and **biodiversity offsetting** will be assessed against the principles listed in Schedule G1 (biodiversity mitigation) and Schedule G2 (biodiversity offsetting).

Policy P34: Fish passage 

The construction or creation of new barriers to the passage of fish and koura species shall be avoided, except where this is required for the protection of indigenous fish and kōura populations.

Policy P35: Restoring fish passage



The passage of indigenous fish and kōura shall be restored where this is appropriate for the management and protection of indigenous fish and kōura populations.

~~Policy P36: Effects on indigenous bird habitat~~



~~The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be minimised.~~

Policy P37: Values of wetlands



Activities in and adjacent to **natural wetlands** shall be managed to maintain and, where appropriate, restore their condition and their values including:

- (a) as habitat for indigenous flora and fauna, and
- (b) for their significance to **mana whenua**, and
- (c) for their role in the hydrological cycle including flood protection, and
- (d) for nutrient attenuation and sediment trapping, and
- (e) as a fisheries resource, and
- (f) for recreation, and
- (g) for education and scientific research.

Policy P38: Restoration of wetlands



The **restoration** of **natural wetlands** and the construction of artificial wetlands to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.7 and 3.8, to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of **natural wetlands**, shall be encouraged and supported.

Policy ~~P23~~P38A: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa Moana

The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa Moana will be restored overtime by:

- (a) managing activities, erosion-prone land, and riparian margins to reduce sedimentation rates and pollutant inputs, to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.4 to 3.8, and
- ~~(b) managing erosion-prone land and riparian margins in their catchments, and~~
- ~~(e)~~(b) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.

4.6 Sites with significant values

4.6.1 Outstanding water bodies

Policy P39: Adverse effects on outstanding water bodies

The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided.

4.6.1A Managing adverse effects on aquatic ecosystems, habitats and species within the coastal marine area

Policy P22-39A: ~~Ecosystem values of estuaries~~ Indigenous biodiversity values within the coastal marine area 

To protect the indigenous biodiversity values of aquatic ecosystems, habitats and species, use and development within the coastal marine area shall:

- (a) avoid adverse effects on:
 - (i) indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as threatened by the International Union for Conservation of Nature and Natural Resources;
 - (ii) indigenous ecosystems and vegetation types in the coastal marine area that are threatened or are naturally rare;
 - (iii) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
 - (iv) areas in the coastal marine area containing nationally significant examples of indigenous community types;
 - (v) areas set aside for full or partial protection of indigenous biological diversity under other legislation.
- (b) avoid ~~S~~significant adverse effects, and avoid, minimise, and/or remedy other adverse effects, of activities on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as nursery for important fish stocks, ~~shall be avoided.~~

4.6.2 Sites with significant indigenous biodiversity value

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values 

Protect and restore 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), and
- (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 (identified significant natural wetlands), and
- (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).

Note

All natural wetlands in the Wellington Region are considered to be significant natural wetlands as they meet at least two of the criteria listed in Policy 23 of the Regional Policy Statement 2013 for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values; being representativeness and rarity.

Policy P41: Managing adverse effects on 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, in the first instance activities that risk causing adverse effects on the values of a significant site, other than activities carried out in accordance with a **wetland restoration management plan**, shall avoid these ecosystems and habitats.

If the ecosystem or habitat cannot be avoided, (except for those ecosystems and habitats identified in Policy P40 (b), (c) and (d) that are identified and managed by Policy P39A(a)), the adverse effects of activities shall be managed by:

- (a) avoiding more than minor adverse effects, and
- (b) where more than minor adverse effects cannot be avoided, minimising remedying them, and
- (c) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied ~~mitigating them~~, and
- (d) where **residual adverse effects** remain ~~it is appropriate to consider~~ the use of **biodiversity offsets** may be proposed or agreed by the applicant.

Proposals for **biodiversity mitigation** and **biodiversity offsetting** will be assessed against the principles listed in Schedule G1 (**biodiversity mitigation**) and Schedule G2 (**biodiversity offsetting**). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.

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.

Policy ~~P33~~ P41A: Protecting Effects on the spawning and migration of indigenous fish species habitat

Avoid ~~The~~ more than minor adverse effects of activities on ~~the~~ indigenous fish species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, ~~and or~~ or Schedule F1b (inanga spawning habitats), ~~particularly at the relevant~~ during known spawning and migration times identified in Schedule F1a (fish spawning/migration) ~~for those species, shall be avoided.~~ These activities may include the following:

- (a) discharges of contaminants, including sediment, and
- (b) disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and
- (c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.

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 these 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 these ecosystems and habitats.

Policy P43: Wetland Restoration and management plans



Restoration activities that have more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F (indigenous biodiversity) are appropriate if they are undertaken as part of a wetland restoration management plan.

4.6.3 Sites with significant mana whenua values

Policy P44: Protection and restoration of sites with significant mana whenua values



Sites with significant **mana whenua** values identified in Schedule C (mana whenua) shall be protected and ~~or~~ restored by a mix of the following regulatory and non-regulatory methods:

- (a) managing use and development through rules in the plan; and

- (b) working in partnership with key stakeholders through:
 - (i) increasing landowner and community understanding of significant values within Schedule C sites, and
 - (ii) working with **mana whenua**, landowners, and other interested parties as appropriate, to develop and implement **restoration** programmes for Schedule C sites, and
 - (iii) the Wellington Regional Council and iwi authorities implementing **kaupapa Maori** monitoring of Schedule C sites.

Policy P45: Managing adverse effects on sites with significant mana whenua values



~~In the first instance, activities in sites with significant **mana whenua** values identified in Schedule C (mana whenua) shall 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.~~

~~The adverse effects of activities shall be managed in accordance with **tikanga** and **kaupapa Māori** 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.~~

Sites with significant **mana whenua** values identified in **Schedule C** shall be protected and restored by managing use and development both within and outside of these sites in the following manner:

- (a) in the first instance, avoid locating activities within sites listed in **Schedule C**;
- (b) where it is not practicable to avoid a site, require the more than minor adverse effects of activities on the significant **mana whenua** values of the site to be evaluated through a **cultural impact assessment** undertaken by the relevant iwi authority or iwi authorities;

- (c) significant adverse effects of an activity on the significant values of the site shall be avoided.
- (d) other adverse effects shall be managed in accordance with tikanga and kaupapa Maori as recommended in the cultural impact assessment to:
 - (i) avoid more than minor adverse effects on the significant values of the site; and
 - (ii) where more than minor adverse effects cannot be avoided, minimising them, and
 - (iii) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied; and
- (e) where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, minimised, or remedied, the activity is inappropriate. Offsetting of effects on sites with significant mana whenua values is inappropriate, and
- (f) the relevant iwi authority/ies shall be considered to be an affected party under RMA s95E for all activities which require resource consent within a Schedule C site where the adverse effects are minor or more than minor.

4.6.4 Sites with significant historic heritage value

Policy P46: Managing adverse effects on sites with significant historic heritage value 

More than minor adverse effects on the significant historic heritage values identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule E4 (archaeological sites) and Schedule E5 (freshwater heritage) shall be avoided, remedied or mitigated by managing activities so that:

- (a) significant historic heritage values are not lost, damaged or destroyed; ~~and~~
- (b) effects are of a low magnitude or scale, or effects are reversible; ~~and~~
- (c) interconnections and linkages between sites are not significantly altered or lost; ~~and~~
- (d) previous damage to significant historic heritage values is remedied or mitigated where relevant; ~~and~~
- (e) previous changes that have significant historic heritage value in their own right are respected and retained; ~~and~~

- (f) adjacent significant historic heritage values are unlikely to be adversely affected; ~~and~~
- (g) unique or special materials and/or craftsmanship are retained; ~~and~~
- (h) the activities do not lead to cumulative adverse effects on historic heritage.

Policy P47: Appropriate demolition or removal



Demolition, partial 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.

4.6.5 Natural features and landscapes ~~and special amenity landscapes~~

Policy P48: Protection of outstanding natural features and landscapes



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:

- (a) identifying outstanding natural features and landscapes within the region, and
- (~~ab~~) avoiding adverse effects of activities on outstanding natural features and landscapes, and
- (~~bc~~) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on all other natural features and landscapes.

Note

Method M24(a) applies to clause (a).

~~**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.~~

Policy P50: Significant geological features 

The ~~significant adverse effects of use and development on the~~ significant geological features identified in Schedule J (geological features) shall be protected by:

- ~~(a) avoiding significant adverse effects of use and development on significant geological features; and~~
- ~~(b) avoiding, remedying or mitigating other adverse effects of activities on significant geological features.~~

~~Policy P51: Significant surf breaks~~ 

~~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:~~

- ~~(a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and~~
- ~~(b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.~~

4.7 Air quality

Policy P52: Managing ambient air quality 

Ambient air quality shall be managed to protect human health and safety by:

- (a) maintaining the acceptable category or better identified in Schedule L1 (**ambient air**) for the specific contaminants, and
- (b) improving unacceptable or poor **ambient air** quality to at least the acceptable category or better identified in Schedule L1 (**ambient air**), and
- (c) managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised.

Policy P53: Domestic fires 

Good management practices for the operation of **domestic fires** in urban, rural and coastal marine areas will be encouraged to minimise the cumulative health effects and nuisance effects to neighbours of offensive or objectionable odour, smoke and particulate matter, fumes, ash and visible emissions.

Policy P54: Open fires [in the Masterton Urban Airshed](#)

The discharges of contaminants into air from new **open fires** in the Masterton Urban Airshed (shown on Map 25) shall be avoided.

Policy P55: Managing air amenity



Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and [dust](#), particulate matter, fumes, ash and visible emissions.

Policy P56: Outdoor burning



The adverse effects on amenity, people's health and **property** from odour, smoke and dust, fumes, and visible emissions from **outdoor burning** will be minimised by the encouragement of **good management practices**.

Policy P57: Burning of specified materials



The significant adverse effects on human health, amenity and the environment from the burning of **specified materials** in **domestic fires** and **outdoor burning** shall be avoided.

Policy P58: Industrial discharges



Industrial **point source discharges** and fugitive emissions into air will be minimised by using **good management practices**.

Policy P59: Industrial point source discharges



The significant adverse effects from industrial **point source discharges** of **hazardous air pollutants** beyond the boundary of the **property** where the discharge is occurring, including any noxious or dangerous effects on human health or the environment, shall be avoided.

Policy P60: Agrichemicals and fumigants



The adverse effects on human health, **property** and the environment from the [application discharge](#) of **agrchemicals** or **fumigants** beyond the boundary of the **property** where the discharge is occurring will be managed using **good management practices**.

Policy P61: National Environmental Standard for Air Quality

When considering a resource consent application for a discharge into air in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25), the Wellington Regional Council shall give effect to the National Environmental Standard for Air Quality by allowing the offsetting of new discharges of PM₁₀ if the ground level concentrations exceed 2.5µg of PM₁₀/m³ of air. The offsets shall be:

- (a) for new discharges into air or when discharges from existing consented activities increase, and
- (b) calculated on an annual mass emissions basis and be offset on a one to one annual mass emissions basis, and

- (c) calculated as close as practicable to where the effect of the discharge occurs, and
- (d) for the duration of the consent, and
- (e) treated as having the same health effects irrespective of the source of the PM₁₀, and
- (f) required in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25) until the airshed achieves five years without any breach of the National Environmental Standard for Air Quality for PM₁₀, and
- (g) only for a **point source discharge** and will not consider fugitive emissions, and
- (h) only for PM₁₀.

Note

For the purposes of this policy offsetting has the same meaning as in the National Environmental Standard for Air Quality for PM₁₀.

4.8 ~~Discharges to land and water~~Land and water quality

4.8.1 ~~Discharges to L~~and water

Policy P66: National Policy Statement for Freshwater Management requirements for discharge consents

When considering any application for a discharge the consent authority shall have regard to the following matters:

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water, and
- (b) the extent to which it is feasible and dependable that any more than minor adverse effects on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided, and
- (c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their **secondary** contact with fresh water, and
- (d) the extent to which it is feasible and dependable that any more than minor adverse effects on the health of people and communities as affected by their **secondary** contact with fresh water resulting from the discharge would be avoided.

This policy applies to the following discharges (including a diffuse discharge by any person or animal):

- (e) a new discharge, or

- (f) a change or increase in any discharge

of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

Sections (a) and (b) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011. Sections (c) and (d) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect (1 August 2014).

Policy P67: Minimising ~~effects of~~ discharges to water or land



~~The adverse effects of d~~ Discharges of contaminants to ~~land and~~ water or land will be minimised by adopting the following hierarchy:

- (a) avoiding the production of the contaminant, ~~and/or~~
- (b) reducing the volume amount of contaminants, including by reusing, recovering or recycling the contaminants, and/or
- (c) minimising the volume or amount of the discharge, ~~and/or~~
- (d) discharging to land is promoted over discharging direct to water, including using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge. where appropriate, and
- ~~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 achieve the water quality standards in Policy P71 after reasonable mixing.~~

Note

In determining if it is appropriate to discharge to land as required by clause (d), consideration must be given to the requirements of Policy P95.

Policy P69: Human drinking water supplies

The adverse effects from discharges to land and water on the quality of **community drinking water supplies** and **group drinking water supplies** shall be avoided to the extent ~~practicable~~ necessary to implement the National Environmental Standards for Sources of Human Drinking Water 2007, in consultation with the drinking water supply operator. Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:

- ~~(a) — water quality in relation to determinands, including aesthetic determinands, at the water supply abstraction point, and~~
- ~~(b) — the type and concentration of the contaminant(s) in the actual discharge, and~~

- ~~(c) — soil type, in the case of discharges to land, and~~
- ~~(d) — travel time and path of contaminants from source to water supply abstraction point, and~~
- ~~(e) — treatment, design and maintenance, and~~
- ~~(f) — the risk of accident or an unforeseen event causing significant adverse effects on water quality.~~

~~This shall be done in consultation with the drinking water supply operator and in accordance with the National Environmental Standards for Sources of Human Drinking Water 2007.~~

Policy P95: Discharges to land

The discharge of contaminants to land shall be managed to by:

- (a) ~~ensuring the discharge does not result in more than minor~~ minimise adverse effects ~~to~~ on the life-supporting capacity of soil health, and
- (b) ~~avoiding discharges that would not create~~ creating contaminated land, ~~and~~
- (c) not exceed~~ing~~ the natural capacity of the soil to treat, use or remove the contaminant, ~~and~~
- (d) not exceed~~ing~~ the available capacity of the soil to absorb ~~and infiltrate~~ the discharge, ~~and~~
- (e) ~~minimising~~ avoid significant adverse effects on public health and amenity, and
- (f) not result~~ing~~ in a discharge ~~that enters to~~ water that causes more than a minor adverse effects.

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) contact recreation and **Māori customary use**.

Policy P65: Minimising effects of rural land use activities nutrient discharges



The adverse effects of rural land use activities, including any associated discharge nutrient discharges from agricultural activities that may enter water, shall be minimised through the use of regulatory and non-regulatory methods including:

- (a) rules and methods in the Plan, and

- (ab) **good management practices**, and
- (bc) information gathering, monitoring, assessment and reporting, and
- (ed) 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.~~

Policy P63: Improving water quality for contact recreation and Māori customary use 

The **water** quality of fresh water bodies and coastal water identified as priorities for improvement for contact recreation and Māori customary use in Schedule H2 (priority water bodies) shall be improved to meet, over time and as a minimum, the objectives in Table 3.1, 3.2 and 3.3, including by:

- (a) improving water quality in all first priority for improvement water bodies for secondary contact with water listed in Schedule H2 (priority water bodies) in accordance with Method M27, and
- ~~(b) — **Stormwater Management Strategies** having particular regard to improving water quality in fresh water bodies and coastal water identified in Schedule H2 (priority water bodies) that are adversely affected by discharges from **stormwater networks**, and~~
- (eb) having particular regard to improving water quality in fresh water bodies and areas of coastal water identified in Schedule H2 (priority water bodies) that where contact recreation and/or Māori customary use are adversely affected by discharges from stormwater from a port, airport or state highway, **wastewater networks** ~~or~~ and **wastewater** treatment plants.

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 P70: Managing point source discharges for aquatic ecosystem health and mahinga kai 

Where an objective in Table 3.4, Table 3.5, Table 3.6, Table 3.7 or Table 3.8 of Objective O25 is not met, **point source discharges** to water shall be managed in the following way:

- (a) for an **existing activity discharge** that contributes to the objective not being met, the discharge is only appropriate if:

- (i) ~~the an~~ application for a resource consent includes a defined programme of work for upgrading the ~~activity-discharge~~, in accordance with **good management practice**, within the term of the resource consent, and
 - (ii) conditions on the resource consent require the reduction of adverse effects of the ~~activity-discharge~~ in order to improve water quality in relation to the objective ~~within the term of the consent~~, and
- (b) for a **new activity-discharge**, ~~other than a wastewater discharge~~, the discharge is ~~only appropriate~~ **inappropriate** if the ~~activity-discharge~~ would ~~not~~ cause the affected fresh water body or area of coastal water to ~~become any worse~~ **decline** in relation to the objective.

In assessing the appropriateness of a **new discharge** or **existing discharge**, the ability to offset **residual adverse effects** may be considered.

Policy P71: Quality of **point source** discharges **to rivers**

~~Where all of the objectives in Table 3.4 of Objective O25 are met~~ ~~The~~ adverse effects of **point source discharges**, ~~excluding discharges from the~~ **stormwater and wastewater discharges**, to rivers shall be minimised by the use of measures that result in the discharge ~~meeting as a minimum maintaining quality the following water quality standards~~ in the receiving water after the ~~zone of reasonable mixing~~: ~~when measured~~:

- (a) below the discharge point compared to above the discharge point, ~~having particular regard to the following indicators of ecosystem health~~:
 - (i) ~~a decrease in~~ the Quantitative Macroinvertebrate Community Index ~~of no more than 20%~~, and
 - (ii) ~~a change in~~ pH ~~of no more than ±0.5~~, and
 - (iii) ~~a decrease in~~ water clarity ~~of no more than~~:
 - 1. ~~20% in River class 1~~, or
 - 33% in **River classes 2 to 6**, and
 - (iv) ~~a change in~~ temperature ~~of no more than~~:
 - 1. ~~2°C in River classes 1 or 2~~, or
 - 2°C in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or
 - 3°C in any other river, and
- (b) ~~a~~ **the** 7-day mean minimum dissolved oxygen concentration ~~of no lower than 5mg/L~~

- (c) ~~a~~ the daily minimum dissolved oxygen concentration ~~of no lower than~~ 4mg/L.

~~All water quality standards apply at all flows except (a)(iii) which applies at less than **median flows**, (a) applies at all times of the year, (b) and (c) apply only between 1 November and 30 April each year.~~

Policy P72: Zone of reasonable mixing



~~When a discharge to water requires resource consent, Where not otherwise permitted by a rule,~~ the **zone of reasonable mixing** shall be minimised and will be determined on a case-by-case basis. In determining the **zone of reasonable mixing**, particular regard shall be given to:

- (a) acute and chronic toxicity effects, and
- (b) adverse effects on aquatic species migration, and
- (c) efficient mixing of the discharge with the receiving waters, and
- (d) avoiding a site with significant **mana whenua** values identified in Schedule C (mana whenua), and
- (e) the identified values of that area of water, and
- (f) avoiding significant adverse effects within the **zone of reasonable mixing**.

Policy P64: Mixing waters

Mixing waters between catchments is inappropriate except where there are no adverse effects on **mana whenua** values.

Policy P68: Avoiding ~~in~~ inappropriate discharges to water



Discharges to fresh and coastal water of:

- (a) untreated **wastewater**, except as a result of ~~extreme weather related heavy rainfall event~~ overflows ~~or wastewater system failures or from recreational boating activities~~, and
- (b) **animal effluent** from an **animal effluent** storage facility or from an area where animals are confined, and
- (c) untreated industrial or trade waste, and
- (d) untreated organic waste or leachate from storage of organic material shall be avoided.

~~4.8.2 Discharges to water~~

4.8.2 Stormwater

Policy P73: Minimising adverse effects of stormwater discharges



The adverse effects of **stormwater** discharges shall be minimised to the smallest amount reasonably practicable, including by:

- (a) using **good management practice**, and
- (b) taking a **source control** and treatment train approach to new activities and land uses, and
- (c) implementing **water sensitive urban design** in new subdivision and development, and
- (d) progressively improving existing **stormwater, wastewater**, road and other public infrastructure, including during routine maintenance and upgrade.

Policy P79: Managing land use impacts on stormwater



Land use, subdivision and development, including **stormwater** discharges, shall be managed so that runoff volumes and peak flows:

- (a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and
- (b) do not ~~increase~~ ~~cause new or exacerbate existing~~ risk to human health or safety, or ~~increase~~ ~~exacerbate~~ the risk of inundation, erosion or damage to **property** or infrastructure,

including by retaining, as far as practicable, pre-development ~~hydrological conditions hydrographs and overland flow paths~~ hydrological conditions in new subdivision and development.

Policy P74: Development of a stormwater management strategy and first-stage local authority network consents



The adverse effects of discharges from a local authority **stormwater network** during a controlled activity consent granted under Rule R50 or during the development of a stormwater management strategy shall be managed by:

- (a) managing the **stormwater network** on a comprehensive basis whereby discharges from local authority **stormwater** devices are aggregated on a catchment or sub-catchment basis and authorised via a single ‘global’ consent, and
- (b) undertaking monitoring to identify the adverse quality and quantity effects of discharges from the **stormwater network** on:
 - (i) **aquatic ecosystem health** and **mahinga kai**, and
 - (ii) contact recreation and **Māori customary use**, and
 - (iii) the values of areas with identified outstanding or significant values identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F (indigenous biodiversity), and

- (iv) water and sediment quality in the receiving environment, and the benthic habitat of **low energy receiving environments**,

in order to develop a prioritised programme for improvement of areas within the **stormwater network** that will form the basis of a **stormwater management strategy**, and

- (c) managing any acute adverse effects of discharges from the **stormwater network** detected during the monitoring under (b), including significant adverse effects on primary and secondary contact with water, by:

- (i) implementing mitigation as soon as practicable after the effect is determined, and

- (ii) identifying long-term options for remediation or mitigation, and

- (d) limiting resource consents granted under Rule R50 to a maximum of five years, and

- (e) including conditions in the resource consent to set timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy), and

- (f) developing a monitoring programme under (b) that:

- (i) selects suitable representative sites where there are multiple discharge points to the same receiving environment, and

in the Wairarapa,

- (ii) focuses on the urban areas of Masterton, Carterton, Greytown, and Featherston, and

- (iii) for stormwater networks in urban areas not listed in (ii), identifies key risks to receiving water quality from stormwater discharges in accordance with Schedule N(c) and (d) *Catchment characteristics*.

Policy P75: Second-stage local authority network consents



When an application for resource consent is made with a **stormwater management strategy**, the adverse effects of discharges from a local authority **stormwater network** shall be minimised by:

- (a) identifying in the **stormwater management strategy** priorities for progressive improvement, and timeframes to achieve this improvement, in accordance with any relevant objectives identified in the Plan, and

- (b) where appropriate, developing catchment-specific **stormwater** management plans or other methods to identify and prioritise actions in accordance with any relevant objectives identified in the Plan, and
- (c) progressively implementing the **stormwater management strategy** and any actions identified under (b), and
- (d) for new **stormwater networks**, managing the adverse quality and quantity effects of post-development **stormwater** discharges employing land-based treatment of **stormwater**, in accordance with ~~good management practice and Policies~~ **P73 and P79**, from new **stormwater networks**, and
- (e) progressively reducing the impact of untreated **wastewater** on fresh and coastal water in accordance with Policies P76 and P77, and
- (f) progressively improving existing **stormwater**, **wastewater**, road and other public infrastructure, including through routine maintenance and upgrade.

Policy P76: Minimising wastewater and stormwater interactions 

The adverse effects of **wastewater** and **stormwater** interactions on fresh and coastal water shall be minimised by:

- (a) avoiding **wastewater** contamination of **stormwater** from new **wastewater networks** or connections authorised after the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (b) progressive elimination of ~~reducing~~ **wastewater** contamination of **stormwater** from the existing **wastewater network**, and
- (c) progressively reducing **stormwater** and groundwater infiltration and inflow into the **wastewater network** ~~so that untreated **wastewater** only overflows to water during heavy rainfall events~~.

Policy P77: Assessing resource consents to discharge stormwater containing wastewater 

A resource consent application under Rule R51 to discharge **stormwater** from a local authority **stormwater network** known to contain **wastewater** is inappropriate unless the following criteria are met the application includes:

- ~~(a) — infiltration and inflow into the **wastewater network** are managed in accordance with Policy P76, and~~
- (a)(b) a plan of how Policy P76 will be achieved, including key milestones and dates ~~for these, is included with any resource consent application~~, and

- ~~(b)(e)~~ the results of consultation with **mana whenua** on their values and interests in relation to discharges and receiving waters. the plan required under (b) is developed with **mana whenua**.

Policy P78: Managing stormwater from ~~large sites~~ a port, airport or state highway 

The adverse effects, including the effects on **aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use**, of the discharge of **stormwater** from a port, airport or state highway, where the discharge will enter water shall be minimised by:

- ~~(a)~~ managing the discharge in order to minimise the adverse effects of **stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use**, and
- ~~(a)(b)~~ identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and
- ~~(c)~~ progressively implementing methods identified in (b), and
- ~~(b)(d)~~ having particular regard to protecting sites with identified significant or outstanding values, and
- ~~(c)(e)~~ implementing **good management practice**, ~~including in accordance with Policy P73~~, and
- ~~(d)~~ where required, progressively improvingment of discharge quality over time.

4.8.3 Wastewater

Policy P80: Replacing wastewater discharge consents 

Applicants replacing **existing resource consents** to discharge **wastewater** to fresh water and coastal water shall identify:

- (a) the objectives, limits, targets, discharge standards or other requirements set out in the Plan relevant to **wastewater** discharges to water, and
- (b) the results of consultation with the community and **mana whenua** on their values and interests in relation to discharges and receiving waters, including adverse effects on **Māori customary use** and **mahinga kai**, and
- (c) in response to consultation with the community and **mana whenua**, the short-term and long-term goals for **wastewater** discharges to water, where short-term goals are within the lifetime of the Plan and long-term goals are beyond the lifetime of the Plan, and
- (d) how the short- and long-term goals for **wastewater** discharges to water will satisfy provisions of the Plan, and

- (e) infrastructure changes needed to meet long-term goals for **wastewater** discharges to water, including key milestones and dates.

Policy P82: Mana whenua values and wastewater discharges 

~~Reasonable steps shall be taken to reflect m~~**Mana whenua** values and interests shall be reflected in the management of **wastewater** discharges to fresh and coastal water and receiving waters, including adverse effects on **Māori customary use**, **Ngā Taonga Nui a Kiwa, outstanding water bodies** and **mahinga kai**.

Policy P81: Minimising and improving wastewater discharges 

The adverse effects of **existing discharges** of **wastewater** to fresh water and coastal water shall be minimised, and:

- (a) in the case of **existing discharges** to fresh water or coastal water from **wastewater** treatment plants, the quality of discharges shall be progressively improved and the quantity of discharges shall be progressively reduced, and
- (b) in the case of **existing discharges** to fresh water or coastal water from **wastewater networks** during or following rainfall events, the frequency and/or volume of discharges shall be progressively reduced.

Policy P83: Avoiding new wastewater discharges to fresh water

New discharges of **wastewater** to fresh water are avoided.

Policy P83A: Discouraging new discharges of treated wastewater to coastal water 

New discharges of treated **wastewater** to coastal water are discouraged.

Policy P85: Biosolids and treated wastewater to land 

The adverse effects on fresh water, including groundwater and coastal water and on soil from the application discharge of **biosolids** or treated **wastewater** to land shall be minimised. The application discharge of **biosolids** to land shall be managed in accordance with *Guidelines for the safe application of biosolids to land in New Zealand, 2003*: relevant **good management practice guidelines**.

Policy P84: On-site domestic wastewater management 

The discharge of contaminants to land from **on-site domestic wastewater treatment and discharge systems** shall avoid adverse effects on **mana whenua values**, and not result in ~~M~~more than minor adverse effects on fresh water, including groundwater and coastal water. ~~from discharges from on-site domestic wastewater treatment and discharge systems shall be avoided. The discharge shall be avoided where reticulated sewerage is available.~~ **On-site domestic wastewater treatment and discharge systems** shall be designed, operated and maintained in accordance with the *New Zealand Standard AS/NZS 1547:2012 – On-site domestic wastewater management*.

4.8.4 ~~Discharges to land~~ Collected animal effluent

Policy P94: Discharge of collected animal effluent

Any system to store, treat or ~~dispose of~~ discharge collected **animal effluent to land** shall be designed, constructed and maintained so that:

- (a) the collection, storage and distribution systems are sealed to avoid prevent discharge of effluent outside the intended ~~disposal~~ discharge area, and
- (b) the discharge is to land, and:
 - ~~(i)~~ effluent is only discharged when the field capacity of the soil will not be exceeded, and
 - ~~(ii)~~(i) effluent is discharged at a rate that can be absorbed and treated by the soil and plants, without to minimise ponding, and prevent or surface runoff and without directly discharge ing to groundwater or to surface water through tile drains, and
 - ~~(iii)~~(ii) sufficient storage is provided so that effluent can be stored when weather or soil conditions are unsuitable for irrigation, in order to meet the conditions (b)(i) and (b)(ii) above, and
 - ~~(iv)~~ discharges do not pond or flow to any surface water, and
 - ~~(v)~~(iii) discharges avoid adverse effects on water quality including any community drinking water supply. protection areas shown on Map 26, Map 27a, Map 27b and Map 27c.

4.8.5 Contaminated land, hazardous substances and landfills

Policy P89: Discharges from contaminated land



The discharge of **hazardous substances** from contaminated land ~~contaminated land, including closed landfills,~~ is managed so that ~~the~~ significant adverse effects on fresh water, including groundwater, coastal water, and air ~~is minimised~~ are avoided, remedied or mitigated to the extent practicable.

Policy P90: Discharges of hazardous substances



The adverse effects of the discharge of ~~a~~ **hazardous substances** (excluding a discharge subject to Policy P89) to land ~~(including accidental discharges),~~ fresh water, including groundwater, ~~or~~ coastal water or air ~~from the use, storage and transport of hazardous substances~~ shall be avoided ~~managed by the use of good management practices.~~

Policy P91: Landfills



The adverse effects on fresh water, including groundwater, ~~and~~ coastal water, and air from discharges to land associated with landfills shall be minimised by:

- (a) ensuring landfill design, construction, operation and maintenance is in accordance with good management practice and includes:

- (i) methods for leachate management, collection, treatment and disposal, and
 - (ii) methods for **stormwater** capture and control from both off-site and on-site, and
 - (iii) methods to minimise odour, and
 - (iv) maintenance and monitoring to minimise contamination of the receiving environment, and
- (b) methods for gas collection, flaring of gas, or if gas is used as a fuel for electricity generation, in accordance with section 25 to 27 of the National Environmental Standards for Air Quality Regulations (2004), and
 - (c) ensuring landfills are managed in accordance with site-specific landfill management plans, and
 - (d) having controls to manage **hazardous waste** and avoid any discharge of **hazardous wastes** or the leaching of contaminants from **hazardous wastes** into or onto land where they may enter water, and
 - (e) ensuring landfills are closed and monitored in accordance with *A Guide for the Management of Closing and Closed Landfills in New Zealand, 2001*.

4.8.6 Wastewater from vessels and offshore installations and biofoul cleaning

Policy P86: Discharge of wastewater from vessels



Significant adverse effects on **mana whenua** values and community values from the discharge of **wastewater** containing human effluent from vessels to coastal water inside the **harbour and pilotage limit** (shown on Map 49) shall be avoided by:

- (a) requiring the provision of sewage collection and **disposal** facilities for vessels at new marinas, or at the time of significant upgrading of these facilities.

Policy P87: Minimising adverse effects of wastewater discharges from vessels and offshore installations



The adverse effects of **wastewater** discharges containing human effluent from vessels and offshore installations shall be minimised by using **good management practices**, including by:

- (a) discharging **wastewater** from vessels greater than 500 tonnes outside the **harbour and pilotage limit** (shown on Map 49), and
- (b) avoiding discharges into sites with significant values, and
- (c) utilising shore based **disposal** facilities.

Policy P88: Biofoul cleaning



The discharge of contaminants and biological material to coastal waters from in-water hull cleaning of vessels, moveable structures or navigation aids, particularly those that have a high degree of **biofouling**, shall be managed to minimise the risk of contaminants and biological material being discharged into coastal water.

Note

See guidance provided in the *Anti-Fouling and In-Water Cleaning Guidelines, June 2013*.

4.8.7 **Hydraulic fracturing Hydrocarbon exploration or extraction**

Policy P92: Discharges from hydraulic fracturing hydrocarbon exploration or extraction



The adverse effects on fresh water, including groundwater, and coastal water from chemicals or materials or the escape of hydrocarbons during the exploration for, or extraction of, hydrocarbons in solid, liquid or gaseous forms shall be avoided. ~~Well casings shall be designed to prevent any contamination into fresh water, including groundwater, and coastal water over the long term and be able to handle changes in temperature, pressure and stress along their entire length, from hydraulic fracturing, natural ground movements and earthquakes and related seismic hazards.~~

Hydrocarbon wells must be designed, operated, maintained, and decommissioned in a way that:

- (a) avoids contaminating freshwater, including groundwater, and coastal water over the long terms from open or unsealed wells, and from other operational activities, and
- (b) complies with **good management practices**, recognised industry standards, codes of practice, and regulations, and
- (c) selects best practice drilling and construction methods, including the of muds and other construction material used, and
- (d) is able to handle changes in temperature, pressure, and stress along their entire length, from hydraulic fracturing, natural ground movements, and seismic hazards such as earthquakes, and
- (e) minimises effects on the reliability of groundwater supply for properly constructed, efficient and fully functioning existing wells, and
- (f) ensures that well logs are prepared and made available for the construction or alteration of wells.

Policy P93: Disposal of ~~hydraulic fracturing chemicals or hydrocarbon exploration or extraction~~ materials



The adverse effects on soil, fresh water, including groundwater, and coastal water from the disposal of chemicals or materials used in the exploration for, or extraction of, hydrocarbons in solid, liquid or gaseous forms shall be avoided.

~~4.8.8 Discharges to land~~

~~4.8.9 Land use~~

~~Policy P96: Managing land use~~

~~Rural land use activities shall be managed using good management practice.~~

Note

~~A limit, target and/or allocation framework will be established through the **whaitua** committee process and incorporated into the Plan through a future plan change or variation.~~

~~4.8.10 Earthworks and vegetation clearance~~ Soil erosion

~~Policy P97: Managing sediment discharges~~



~~The discharge of sediment to **surface water bodies** and coastal water from **earthworks** activities shall be minimised by using a **source control** approach.~~

~~**Good management practices** shall be used in site management, erosion and sediment control design operation and maintenance in order to minimise the adverse effects of sediment laden **stormwater** discharges.~~

~~Effects that cannot be minimised may be appropriately **offset**.~~

Policy P98: Accelerated soil erosion Land use activities, erosion and associated discharges



Earthworks, vegetation clearance and plantation forestry harvesting activities that have the potential to result in significant accelerated soil erosion, or to lead to off-site discharges of silt and sediment to **surface water bodies**, shall use measures, including **good management practice**, to:

- (a) minimise the risk of accelerated soil erosion, and
- (b) control silt and sediment runoff, and
- (c) ensure the site is **stabilised** and vegetation cover is restored.

4.8.8 Livestock access and riparian management

Policy P99: Livestock access to a surface water body ies and the coastal marine area.



Sedimentation, the direct discharge of contaminants, damage to the beds or banks, and degradation of aquatic ecosystems ~~disturbance to the banks and beds~~ (including plants and habitats in, on or under the bed) of a surface water body ies and or the coastal marine area resulting from **livestock** access shall be managed to:

- ~~(d) protect aquatic habitat and water quality, and~~
- ~~(b) protect the significant values of **Category 1 surface water bodies**: by excluding livestock from these water bodies, and~~
- ~~(b) outside a **Category 1 surface water body**. Where **livestock** are not excluded from the bed (including the banks) of **surface water bodies**, the adverse effects of access are avoided, remedied or mitigated by methods, such as, but not limited to: (e) restricting the location and frequency of access of some types of **livestock**, and~~
- ~~(d) restricting the numbers of animals, and~~
- ~~(e) limiting the density, frequency and duration of access, and~~
- ~~(f) providing sufficient alternative sources of drinking water, shade and grazing outside of the banks and beds.~~

~~Policy P100: Riparian margins for cultivation and break-feeding~~ 

~~The overland flow of contaminants to **surface water bodies** from the use of land for **cultivation** and **break-feeding** shall be minimised through the use of riparian set-backs and **good management practices**.~~

Policy P101: Management of riparian margins 

~~In order to ~~m~~ Maintain or restore water quality, aquatic ecosystem health, mahinga kai and natural character, and reduce the amount of contaminants sediments and nutrients entering **surface water bodies**, through the good management of riparian margins ~~shall be encouraged~~ including:~~

- ~~(a) the exclusion or restricted access of **livestock** likely to affect riparian margins or water quality, and~~
- ~~(b) appropriate set-back distances from **surface water bodies** for some land use activities,~~
- ~~(b)(c) encouraging the planting of appropriate riparian vegetation, and~~
- ~~(e)(d) the management control of pest plants and animals.~~

4.8.9 **Activities in beds of lakes and rivers**

Policy P102: Reclamation or drainage of the beds of lakes and rivers

The **reclamation** or drainage of the beds of lakes and rivers and **natural wetlands** shall be avoided, in particular those identified in Schedules A (outstanding water bodies) and C (mana whenua), except where the reclamation or drainage is:

- ~~(b) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or~~
- ~~(b) associated with a **qualifying development** within a **special housing area**, or~~

- (~~eb~~) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or
- (~~ec~~) necessary to enable the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, or
- (~~ed~~) associated with the creation of a new river bed and does not involve piping of the river, and
- (e) for the purpose of forming a reasonable crossing point, and
- (f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or
- (g) the **reclamation** or drainage is of an **ephemeral flow path**.

~~For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.~~

Policy P103: Management of gravel, sand or rock extraction

The extraction of gravel, sand or rock from the beds of rivers shall be managed so that:

- (a) the extraction does not result in an increase in flooding or erosion either at the site of extraction or across the wider river catchment, including any erosion of existing structures, and
- (b) the flow of bed material sediment and gravel to the coast is not reduced to the extent it would contribute to coastal erosion, and
- (c) the rate of gravel extraction does not exceed the natural rates of gravel deposition, unless this is required to manage aggradation.

Note

This policy does not apply to the disturbance of a river bed, including as a result of bed recontouring, where no gravel or sand is extracted from the river.

Policy P104: Effects on catchment-based flood and erosion control activities



More than minor adverse effects on structures that are part of **catchment-based flood and erosion risk management activities** shall be avoided, unless those activities are carried out by or on behalf of the owner of the structure.

Policy P105: Protecting trout habitat

~~Particular regard shall be given to the protection of trout habitat in rivers with important trout habitat identified in Schedule I (trout habitat). The effects of use and development in and around these rivers shall be managed to:~~

- ~~(a) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O25, and~~
- ~~(b) minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and~~
- ~~(c) maintain the amount of pool, run and riffle habitat, and~~
- ~~(d) maintain fish passage for trout, and~~
- ~~(e) minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).~~

Policy P106: Management of plants in the beds of lakes and rivers

The introduction to and removal of a plants, or part of a plant, from the beds of lakes and rivers shall be managed so that:

- (a) pest plants are not introduced and their removal is enabled, and
- (b) indigenous plant species are encouraged to be planted where they are appropriate for the purpose and are typical of the area and their removal (in whole or in part) is only enabled for the purpose of Māori customary use or for the reasonable use of an individual, or where it is necessary to manage flooding and erosion, and
- (c) the introduction or removal of a plants, or part of a plant, does not increase flooding and erosion either at the site of introduction or removal, or across the wider river catchment, and
- (d) the introduction or removal of a plants, or a part of a plant, does not adversely affect significant biodiversity values of the site.

4.9 Taking, using, damming and diverting water

~~Policy P107: Framework for taking and using water~~

~~The framework for the take and use of water recognises:~~

- ~~(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and~~
- ~~(b) the take and use of water does not exceed allocation amounts provided for in the Plan, and~~
- ~~(c) **minimum flows or water levels** are managed in accordance with the Plan provisions.~~

Policy P108: Integrating management of groundwater and surface water

The connectivity of groundwater and surface water shall be managed as described in Schedule P Table 4.1 (groundwater connectivity) and groundwater shall be allocated from one of two sources:

- (a) ~~groundwater directly connected to surface water~~ Category A groundwater and Category B (stream depletion) within the **core allocation** for surface water, or
- (b) ~~groundwater not directly connected to surface water~~ Category B groundwater (excluding Category B (stream depletion)) and Category C groundwater within the **core allocation** for groundwater.

Schedule P: Table 4.1: Classifying and managing groundwater and surface water connectivity

Schedule P: Table 4.1: Classifying and managing groundwater and surface water connectivity		
Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
<p>Category A groundwater</p> <p style="text-align: center;">Groundwater directly connected to surface water</p>	<p>Stream depletion effects begin almost immediately after the commencement of groundwater abstraction and increase rapidly over subsequent days. Over the course of weeks to months the volume of groundwater pumped almost entirely represents flow depletion from local surface waters. Depletion effects dissipate quickly when pumping stops.</p> <p>Category A groundwater aquifers are generally shallow, highly permeable gravels that occur along the riparian margins of the main river systems.</p> <p>Category A groundwater takes are expressed in litres/sec (L/sec) (based on a weekly average).</p> <p>Category A groundwater areas are 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.</p>	<p>Groundwater takes in aquifers directly connected to surface water are subject to the same core allocation and restrictions as surface water takes unless there is clear hydrogeological evidence demonstrating that surface water depletion effects from takes are less than expected.</p> <p>Allocation</p> <p>Category A groundwater takes are allocated from surface water allocation amount for the relevant catchment management unit and <u>catchment management sub unit</u>.</p> <p>Restrictions</p> <p>Category A groundwater takes are subject to restrictions outlined in Policy P111 and Schedule R.</p> <p>Where a groundwater take is located in an area shown in the whatua chapters as Category A groundwater and there is clear hydrogeological information demonstrating that surface water depletion effects from takes are less than expected, the take may be considered as Category B groundwater. Such clear new hydrogeological evidence may be advanced in accordance with Schedule P by a resource consent applicant seeking a new resource consent or an existing user amending an existing resource consent.</p> <p>Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.</p>
<p>Category B groundwater</p>	<p>Compared with takes in Category A groundwater, the onset of stream depletion effects is less immediate and it often takes weeks rather than days for the effect to become significant. However, over the course of months the volume of groundwater pumped that is directly connected to surface water represents at least 60% flow depletion from local surface waters. Depletion effects dissipate more slowly than takes from Category A groundwater when pumping stops.</p> <p>Category B groundwater considered to be: available as surface water allocation is expressed in L/sec (based on a weekly average). Category B groundwater that is directly connected to surface water is:</p>	<p>Category B groundwater aquifers that are directly connected to surface water are subject to the same core allocation and restrictions as surface water. Groundwater that is not directly connected to surface water is subject to separate groundwater core allocation. The allocation for individual takes at a location in category B groundwater is based on a pumping test that provides hydrogeological evidence demonstrating the effects of taking water on surface water. A pumping test is required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p> <p>Due to the potential for category B groundwater aquifers to have a less direct effect on</p>

Schedule P Table 4.1: Classifying and managing groundwater and surface water connectivity		
Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
<p>Groundwater not directly connected to surface water</p>	<p>(a) <u>groundwater with a rate of take at the point of abstraction (based on weekly average) of greater than 5L/sec, and</u></p> <p>(b) <u>groundwater which over the course of a pumping season represents a flow depletion from local surface waters of greater than 60% of the rate of take of greater than 40L/sec.</u></p> <p><u>Category B groundwater</u> areas are generally shown in the <u>Whaitua</u> chapters at the locations and depths described in Figures 7.2, 7.3, 7.6, 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, Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10, Table 8.2 chapter 8 and Table 10.2 in chapter 10.</p> <p>The component of category B groundwater takes considered to not be directly connected to surface water is the balance of the amount assessed as being directly connected (i.e. up to 40%).</p>	<p>surface water than equivalent takes from category A areas; groundwater takes within category B with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes.</p> <p>The management approach for individual takes at a location in Category B groundwater will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p> <p>For the following management approaches stream depletion effect is calculated using an assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period.</p> <p>Allocation</p> <p>Category B groundwater is allocated from both surface and groundwater allocation amounts as follows:</p> <p>(i) For takes with a stream depletion effect from local surface waters of greater than 60%, the calculated stream depletion effect is included in the surface water allocation for the relevant catchment management sub unit, while the remainder is included in the groundwater allocation for the relevant catchment management sub unit**.</p> <p>(ii) For takes with a stream depletion effect from local surface waters of less than 60% but greater than 10L/sec, the calculated stream depletion effect is included in the surface water allocation for the relevant catchment management sub unit, while the remainder is included in the groundwater allocation for the relevant catchment management sub unit**.</p> <p>Category B groundwater is allocated from groundwater allocation amounts as</p>

Schedule P Table 4.1: Classifying and managing groundwater and surface water connectivity		
Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
		<p><u>follows:</u></p> <p>(iii) For takes with a stream depletion effect from local surface water of less than 60% and less than 10L/sec, the allocation is from the relevant groundwater catchment management sub unit.</p> <p>(iv) For takes with a weekly average abstraction rate less than 5 L/sec the allocation is from relevant groundwater catchment management sub unit.</p> <p>Restrictions</p> <p><u>Category B groundwater takes with the following may be subject to restrictions outlined in Policy P111 and Schedule R:</u></p> <p>(i) A stream depletion effect of greater than 60% , or</p> <p>(ii) A stream depletion effect of less than 60% but greater than 10L/sec where the cumulative Category B stream depletion effect for the catchment management sub unit exceeds 10% of natural 7d MALF of the surface water body impacted by the cumulative stream depletion.</p> <p><u>Category B groundwater takes with the following are not subject to restrictions outlined in Policy P111 and Schedule R:</u></p> <p>(iii) A stream depletion effect of less than 60% and less than 10L , or</p> <p>(iv) a weekly average abstraction rate less than 5 L/sec.</p> <p><u>Due to the potential for category B groundwater aquifers to have a less direct effect on surface water than equivalent takes from category A areas, groundwater takes within category B with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes.</u></p> <p>Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.</p>

Schedule P Table 4.1: Classifying and managing groundwater and surface water connectivity		
Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
Category C groundwater	<p>Groundwater takes may contribute to stream flow depletion at a catchment scale over the course of a pumping season but effects are much less immediate and significant than for Category A groundwater, and Category B groundwater takes.</p> <p>Aquifers Groundwater with a limited degree of connection generally comprise low permeability geology and/or are the farthest removed from surface waters (e.g. deep confined aquifers).</p> <p><u>Category C groundwater areas are generally shown in the Whaitua chapters at the locations and depths described in Figures 7.2-7.9 in chapter 7, Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10.</u></p>	<p>Takes from category C groundwater are not subject to core allocation and restrictions that relate to surface water but rely on separate core allocation for groundwater in whaitua chapters 7 and 8.</p> <p>Allocation</p> <p><u>Category C groundwater is allocated from the groundwater allocation amount for the relevant catchment management sub unit.</u></p> <p>Restrictions</p> <p><u>Category C groundwater is not subject to restrictions outlined in Policy P111 and schedule R.</u></p> <p>Where a groundwater take is located in an area shown in the Whaitua chapters as Category C groundwater and there is clear hydrogeological evidence demonstrating that surface water depletion effects from take is greater than expected, the take may be considered as Category B groundwater.</p> <p>A pumping test is required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p>

* For small streams in the **Kāpiti Whaitua**, if the stream depletion factor is less than 60%, a groundwater take is considered to have a **High connection** if the stream depletion effect is greater than:

- 10 L/sec in streams with a MALF greater than 100 L/sec, or
- 10% of MALF in streams with a MALF less than 100 L/sec

** In the **Hutt Whaitua**, the total groundwater allocated for a groundwater take is included in the **Lower Hutt groundwater catchment management unit**. In addition to this, the stream depletion effect (based on a stream depletion factor of 0.5) is included in the **Te Awa Kairangi / Hutt River catchment management unit**.

Policy P109: Lapse dates affecting water takes

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.

Policy P110: National Policy Statement for Freshwater Management requirements for water takes, damming and diversion

When considering any application the consent authority shall have regard to the following matters:

- (a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem, and
- (b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.

This policy applies to:

- (c) any new activity, and
- (d) any change in the character, intensity or scale of any established activity

that involves any taking, using, damming or diverting of fresh water or draining of any ~~natural wetland~~ wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried-out).

This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

4.9.1 Minimum flows

In addition to policies on **minimum flows** and **minimum water levels** that follow, policies on **minimum flows and minimum water levels** in chapters 7-11 (whaitua chapters of the Plan) also equally apply.

Policy P111: Water takes at minimum flows and minimum water levels

The take and use of water shall not occur when flows or water levels fall below **minimum flows or minimum water levels** in the **whaitua** chapters (chapters 7-11), with the exception that water is available below **minimum flows or minimum water levels**:

- (a) for firefighting, an individual's reasonable domestic needs and the reasonable needs of a ~~an individual's~~ person's animals for drinking water as provided for by section 14(3)(b) and 14(3)(e) of the Resource Management Act 1991, or
- (b) for the take and use of water permitted by rules in the Plan, or
- (c) as authorised by resource consents for the following purposes:
- (i) the health needs of people as part of group drinking water supply or community drinking water supply, and
 - (ii) the water used by industry from a community drinking water supply for a period of seven years from the date 31 July 2015, and
 - (iii) water races for the purpose of supplying water for the health needs of people and animal drinking water, and
 - (iv) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of an existing resource consent, for the sole purpose of avoiding their death provided:
 - the water shall only be available five days (120 hours) after minimum flow or minimum water level cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and
 - the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and
 - (v) Category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows or minimum water levels, and
 - (vi) Category B groundwater and Category C groundwater in accordance with Table 4.1.

Policy P112: Priorities in drought and serious water shortage

In times of drought and **serious water shortage** when flows or water levels fall below the **minimum flows** or **minimum water levels** in the **whaitua** chapters of the Plan (chapters 7-11), water takes shall be limited to that required for firefighting, human health needs of people, animal drinking water and firefighting rootstock protection.

4.9.2 Allocating water

In addition to the policies on allocating water that follow, policies in chapters 7-11 (whaitua chapters) also apply to allocating water.

Policy P113: Core allocation for rivers

The maximum **allocation amounts** for rivers (and their **tributaries**) and **directly connected groundwater** **Category A groundwater and Category B groundwater (stream depletion)** not listed in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is:

- (a) for rivers with mean flows of greater than 5m³/sec, 50% of the **mean annual low flow**, or
- (b) for rivers with mean flows of less than or equal to 5m³/sec, 30% of the **mean annual low flow**.

Policy P114: Priorities ~~when demand exceeds supply for allocating water~~

~~When the total take and use of water allocated by resource consents above **minimum flows or water levels** exceeds the **core allocation** amount, the take and use of water shall be allocated according to the following priorities, in order of importance:~~

- ~~(a) — the **health needs of people**, and~~
- ~~(b) — stock drinking water, and~~
- ~~(c) — other values.~~

~~The take and use of water for the **health needs of people** by **community drinking water supply** or a **group drinking water supply** shall be a priority over other uses.~~

Policy P115: Authorising takes below minimum flows and lake levels

~~The take and use of water may be authorised below **minimum flows or lake water levels** established in **whaitua** chapters of the Plan (chapters 7-11) for:~~

- ~~(a) — the **health needs of people** as part of **group drinking water supply** or **community drinking water supply**, and~~
- ~~(b) — the water used by industry from a **community drinking water supply** for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and~~
- ~~(c) — **water races** for the purpose of supplying water for the **health needs of people** and animal drinking water, and~~
- ~~(d) — permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of an existing resource consent, for the sole purpose of avoiding their death provided:~~

~~(i) the water shall only be available five days (120 hours) after **minimum flow or water level** cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and~~

~~(ii) the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and~~

~~(c) **direct connection (category A) groundwater** which shall be required to reduce the take by 50% of the amount consented above **minimum flows or water levels**, and~~

~~(f) **High connection (category B) groundwater (directly connected), Moderate connection (category B) groundwater (not directly connected) and Limited connection (category C) groundwater.**~~

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 allocation amounts** identified in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is exceeded.

Policy P117: Supplementary allocation amounts at flows above the median flow

In addition to **core allocation**, **supplementary allocation water** is available ~~from rivers at flows~~ above **median flow** in the following amounts:

(a) for rivers (and their tributaries) listed in Table 1 of Schedule V with **mean flows** of greater than 5m³/sec, up to 50% of the portion of flow in the river above the **median flow** at the point of abstraction, or

(b) for rivers (and their tributaries) listed in Table 2 of Schedule V with **mean flows** of less than or equal to 5m³/sec, up to 10% of the total amount of flow in the river at the point of abstraction, or

(c) for rivers and their tributaries not listed in either Table 1 or 2 of Schedule V up to 10% of the total amount of flow in the river at the point of abstraction

provided **flushing flows** and a portion of flow above the **median flow** remains in the river to meet Objective O25.

4.9.1 Reasonable and efficient use of water

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 operative to meet the **criteria measures**, and

- (b) maximising the efficient use of water when designing systems to convey or apply water, and
- (c) industry guidelines, and
- (d) water use records.

Policy P119: Unused water

Unused water allocated to an **existing resource consent** (**excluding existing resource consents for community or group drinking water supplies**) 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:

- (a) a capital expenditure programme linked to the purpose water is used for, and
- (b) satisfying the reasonable and efficient use **criteria measures** identified in Schedule Q (efficient use).

Policy P120: Taking water for storage

~~The taking of w~~Water **may be taken** for storage outside a river bed at flows above the **median flow**, ~~is appropriate~~ provided Policy P117 is satisfied.

4.9.2 Managing adverse effects

Policy P121: Preventing salt water intrusion

Taking groundwater shall avoid salt water intrusion into an **aquifer** or landward movement of the salt water/fresh water interface, including by:

- (a) cessation of groundwater takes in a **catchment management unit** on the Kāpiti Coast when the water level at the foreshore falls below 1m above mean sea level (**Wellington vertical datum 1953**) (based on groundwater levels averaged over three days), and
- (b) maintaining water levels at 2m above **mean** sea level (**Wellington vertical datum 1953**) at the foreshore of the Hutt Valley aquifer zone shown in Figure 8.2, chapter 8: Wellington Harbour and Hutt **Whaitua**, (based on groundwater levels averaged over 24 hours) and cessation of water takes when the water level falls below 1.7m above **mean sea level** (**Wellington vertical datum 1953**).

Policy P122: Flow variability

The take and use of water shall provide for variable river flows, including **flushing flows**, to maintain **aquatic ecosystem health** and sediment transport.

Policy P123: Direct, cumulative adverse effects

The adverse effects of taking groundwater on the reliability of supply to properly constructed, efficient and fully functioning existing **bores** shall be minimised.

Policy P124: Surface water intakes

The adverse effects of siting new surface water intakes on existing lawfully established surface water intakes or galleries or flow recorder sites shall be minimised.

Policy P125: Taking of groundwater or ground disturbance

The taking of groundwater or ground disturbance shall not result in cross-contamination between **aquifers** or water-bearing layers that results in, or may result in, adverse effects on water quality.

Policy P126: Site dewatering

Localised land subsidence resulting from dewatering that affects structures shall be avoided or and any adverse effects from dewatering that are more than minor on ~~existing groundwater users or the flows, levels or quality of surface water shall be minimised~~ the following shall be avoided, remedied or mitigated:

- (a) the ecosystem functioning of connected water bodies, and
- (b) the reliability of supply for existing surface and ground water users, and
- (c) the quality of surface or groundwater, and
- (d) the contamination of land and water.

Policy P127: Backflow of contaminants

There shall be no backflow to surface water or groundwater of contaminants from any:

- (a) industrial processes, and
- (b) equipment or infrastructure which is used to irrigate land or used to apply **animal effluent, agrichemicals** or nutrients.

4.9.3 Transferring water permits

Policy P128: Transfer of resource consents

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:

- (a) the adverse effects of the take and use of transferred water are the same or less, and

- (b) within the same **catchment management sub unit** for takes within the Ruamāhanga Whaitua (chapter 7), or
- ~~(b)~~(c) the transfer occurs within the same **catchment management unit** for takes within any other **whaitua** (chapters 8-11), and
- ~~(e)~~(d) the same or a lesser amount of water is being taken or used, and
- ~~(d)~~(e) measuring and reporting the use of transferred water is no less than in the parent resource consent, and
- ~~(e)~~(f) 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).

4.9.4 Damming and diverting water

Policy P129: Minimum flows and minimum water levels

The damming or diversion of water from a **surface water body** shall not reduce flows or water levels below **minimum flows** or minimum water levels identified in the **whaitua** chapters of the Plan (chapters 7-11).

4.9.5 Constructing and managing bores

Policy P130: Bores



Bores, including new **bores**, shall:

- (a) be sited to ensure adequate separation from existing **bores**, avoid an over-concentration of **bores** in a particular area (except where intensive investigation is required on a site for geotechnical, contamination or other investigative purposes), and to minimise adverse effects on the reliability of supply from properly constructed, efficient and fully functioning existing **bores**, and
- (b) be constructed, and **bore** logs and other records be prepared, in accordance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*, and
- (c) be used in a manner that prevents:
 - (i) contaminants from entering the **bore** from the land surface, and
 - (ii) the waste of water.

Policy P131: Bores no longer required



Bores that are no longer required shall be decommissioned and any such decommissioning shall be in general accordance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*.

4.10 Coastal management

Coastal occupation charges



In some circumstances, the Wellington Regional Council may impose a charge for occupation in the **common marine and coastal area**. The Resource Management Act 1991 requires that the Wellington Regional Council either includes a statement that a charging regime will not apply, or includes a regime for coastal occupation in the regional plan, or in the first plan change. The Wellington Regional Council has chosen not to include a charging regime at this time, but will consider whether to do so after the Natural Resources Plan for the Wellington Region is made operative.

4.10.1 Primary coastal policies

Policy P132: Functional need and efficient use



Use and development in the coastal marine area shall:

- (a) have a **functional need**, or
- (b) have an **operational requirement** to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or
- (c) **be in the Lambton Harbour Area; or**
- (ed) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area,

and in respect of (a), (b) and (ed):

- (de) only use the minimum area necessary, and
- (ef) be made available for public or multiple use where appropriate, and
- (fg) result in the removal of structures once redundant, and
- (gh) concentrate in locations where similar use and development already exists where practicable.

Policy P133: Recreational values



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.

Policy P134: Public open space values and visual amenity



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:

- (a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plans; and

- (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 functional needs, operational requirements and locational constraints, the Commercial Port Area and the Wellington International Airport, and
- (c) taking account of the future need for public open space in the coastal marine area.

Policy P135: Safe passage



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).

Policy P136: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)



Activities within the Hutt Valley aquifer zone (shown on Map 30) are managed to minimise adverse effects on the integrity and functioning of the **aquifer** and the freshwater springs/seeps.

Policy P137: Airport height restriction areas



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:

- (a) infringe the Wellington International Airport height restrictions (shown on Map 50), or
- (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.

4.10.2 Structures

Policy P138: Structures in sites with significant values



New structures, replacement of a structure or any addition or alteration to a structure in the coastal marine area 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:

- (a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or

- (b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or
- (c) the structure will provide for navigational safety, or
- (d) it is necessary to enable the development, operation, maintenance and **upgrade of regionally significant infrastructure**,

and in respect of (a) to (d):

- (e) there are no practicable alternative locations or methods of providing for the activity.

Policy P139: Seawalls



The construction of a new **seawall or the addition to or alteration or replacement of an existing seawall** is inappropriate except where the **seawall** is required to protect:

- (a) existing, or **upgrades** to, infrastructure, or
- (b) new **regionally significant infrastructure, or**
- (c) significant existing development,

and in respect of (a), ~~and~~ (b) and (c):

- (ed) there is no reasonable or practicable alternative means, and
- (de) suitably located, designed and certified by a qualified, professional engineer, and
- (ef) designed to incorporate the use of **soft engineering** options where appropriate.

Policy P140: New Boatsheds Management Areas



New boatsheds shall be managed by:

- (a) avoiding the development of boatsheds outside Boatshed Management Areas (shown on Map 31), and
- (b) requiring that new boatsheds are compatible in scale, size and character to existing boatsheds.

Policy P141: Boatsheds



The use of boatsheds for residential or other non-water-based activities shall be avoided.

Policy P142: Lambton Harbour Area



When considering whether Use and development of the Lambton Harbour Area may be is appropriate, have regard to the extent which it 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, and
- (f) ensures that the development of **noise sensitive activities** is adequately acoustically insulated in order to manage **reverse sensitivity** effects, and
- (g) enables social and economic benefits to Wellington City and the wider region, and
- (h) provides for open space, pedestrian and cycle through routes and access to and from the water, and
- (i) recognises **mana whenua waka** and **waka ama** uses and enables them to continue, and
- (j) ~~has particular regard to~~ addresses provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.

4.10.3 Other activities in the coastal marine area

Policy P143: Deposition in a site ~~of with significance~~ significant values 

Deposition of sand, shingle or shell in a site in the coastal marine area 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:

- (a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or
- (b) it involves renourishment for the purpose of managing coastal erosion, or
- (c) it provides for public amenity, or
- (d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or

- (e) the activity is carried out by or for local authorities, or
 - (f) it is necessary to enable the efficient development, operation, maintenance and **upgrade** of **regionally significant infrastructure**,
- and in respect of (a) to (f):
- (g) there are no practicable alternative [locations or](#) methods of providing for the activity.

Policy P144: Dumping in a site with significant values



Dumping [in the coastal marine area](#) 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:

- (a) it is necessary to enable the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and
- (b) there are no practicable alternative methods of providing for the activity.

Policy P145: Reclamation, drainage and destruction



Reclamation, drainage or destruction in the coastal marine area shall be avoided except where:

- (a) the **reclamation**, drainage or destruction is associated with the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and
- (b) there are no other locations outside the coastal marine area for the activity associated with the **reclamation**, drainage or destruction, and
- (c) there are no practicable alternative methods of providing for the associated activity.

Policy P146: Introduction of pest plants



The introduction of plants listed in the National Pest Plant Accord [2012](#) into the coastal marine area shall be avoided.

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:

- (a) surf lifesaving operations, or
- (b) emergency situations, including (but not restricted to) firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or
- (c) local authority activities, or

- (d) the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**.

Policy P148: Motor vehicles in sites with significant value



The use of **motor vehicles** on the foreshore and seabed 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, Department of Conservation, local authority or **regionally significant infrastructure** purposes.

Policy P149: Protection of the Tītahi Bay fossil forest



The use of **motor vehicles** at Tītahi Bay in areas containing remnants of fossil forest shown on Map 35 shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or **regionally significant infrastructure** purposes.

Policy P150: Noise and lighting



Noise in the coastal marine area shall be managed by applying the general conditions as set out in section 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 and wildlife, unless it is for operational health and safety reasons.

Policy P151: Underwater noise



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.

5 Rules

5 Rules contents	Rule number	Page
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5.2 Discharges to land and water	R42-R68	125 139
5.3 Discharges to land	R69-R93	139
5.4 Land use	R94- R103 R101	162 182
5.5 Wetlands and beds of lakes and rivers	R104-R135	171 192
5.6 Water allocation	R136-R148A	195 222
5.7 Coastal management	R149-R219	203 233

5.1 Air quality

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon .

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Air quality	Page	P	C	RD	D	NC	Pr
Outdoor burning	96 118						
Rule R1: Outdoor burning	96 118	•					
Rule R2: Frost prevention devices	96 118	•					
Rule R3: Outdoor burning for firefighting training	96 119	•					
Rule R4: Pyrotechnics	97 119	•					
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Rule R6: Fuels prohibited in domestic fires	97 119						•
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Rules – Air quality	Page	P	C	RD	D	NC	Pr
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Rule R11: Coal, light fuel oil, and petroleum distillates of higher viscosity	400 122	•					
Rule R12: Emergency power generators	404 123	•					
Rule R13: Fuels not permitted in large scale generators	404 123					•	
Chemical and metallurgical processes	404 123						
Rule R14: Spray coating within an enclosed space	404 123	•					
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Rule R16: Printing processes	402 124	•					
Rule R17: Dry cleaning	403 125	•					
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Rule R19: Workplace ventilation	404 126	•					
Rule R20: Mechanical processing of metals	404 126	•					
Rule R21: Thermal metal spraying	404 127	•					
Rule R22: Metallurgical or chemical processing of metal	405 127				•		
Cremation and incineration	405 127						
Rule R23: Crematoria	405 127				•		
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Rules – Air quality	Page	P	C	RD	D	NC	Pr
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Rule R40: Discharge of other fumigants	442 137		•				
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5.1.1 Air quality other methods

The Wellington Regional Council will work to improve air quality in a **polluted airshed** through Method M5.

5.1.2 Outdoor burning

Rule R1: Outdoor burning – permitted activity



The discharge of contaminants into air from **outdoor burning** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no burning of **specified materials**.

Note

Outdoor burning is also controlled by provisions in district plans and bylaws.

Rule R2: Frost prevention devices – permitted activity

The discharge of contaminants into air from the use of a **frost prevention device** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the discharge is from a chimney, and
- (c) there is no burning of **specified materials**.

Rule R3: Outdoor burning for firefighter training – permitted activity

The discharge of contaminants into air from the burning of a building, **specified materials**, vegetation and fuels for the purpose of firefighter training or research is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the fire shall be under the control of ~~the Rural Fire Authority, New Zealand Fire Service, Fire and Emergency New Zealand~~, Department of Conservation, New Zealand Defence Force, any airport fire service or other industry brigade, or any other nationally recognised body authorised to undertake firefighting research or fire training activities, and
- (c) the relevant territorial authority and the Wellington Regional Council is notified in writing at least seven days before the fire begins and the notification is to include; the location of the fire, the duration of the fire, and the contact details of the person(s) overseeing the fire.

Rule R4: Pyrotechnics – permitted activity

The discharge of contaminants into air from ~~commercial~~ pyrotechnics displays is a permitted activity.

Rule R5: Outdoor burning of specified materials – prohibited activity

The discharge of contaminants into air from the **outdoor burning** of **specified materials**, except firefighter training or research as permitted by Rule R3 and pyrotechnics as permitted by Rule R4, is a prohibited activity.

5.1.3 Domestic fires

Rule R6: Fuels prohibited in domestic fires – prohibited activity

The discharge of contaminants into air from the combustion of **specified materials** in a **domestic fire** is a prohibited activity.

Note

The installation of a new **open fire** is a prohibited activity in a **polluted airshed** under Clause 24A of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.

5.1.4 Large scale combustion activities

Rule R7: Natural gas and liquefied petroleum gas – permitted activity



The discharge of contaminants into air from a **large scale generator** not exceeding a maximum generating capacity of 5MW, from the combustion of natural gas or liquefied petroleum gas is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) when the maximum generating capacity is more than 1MW, the discharge shall occur via a chimney stack or chimney at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney, and
- (c) the discharge shall be directed vertically into air, and shall not be impeded by any obstruction above the chimney stack or chimney that decreases the vertical efflux velocity, and
- (d) rain excluders shall not impede the vertical discharge of combustion gases, and
- (e) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Wellington Regional Council on request.

Rule R8: Diesel or kerosene **blends** – permitted activity



The discharge of contaminants into air from any **large scale generator** not exceeding a maximum generating capacity of 2MW, from the combustion of diesel or kerosene **blends** outside a **polluted airshed** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the sulphur content of the kerosene shall not exceed 0.5% by weight, and
- (c) when the maximum generating capacity is more than 1MW, the discharge shall occur via a chimney stack or chimney at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney, and

- (d) the discharge shall be directed vertically into air, and shall not be impeded by any obstruction above the chimney stack or chimney that decreases the vertical efflux velocity, and
- (e) rain excluders shall not impede the vertical discharge of combustion gases, and
- (f) the discharge shall not at any time increase the concentration of PM₁₀ (calculated as a 24-hour mean) by more than 2.5µg/m³ in any part of a **polluted airshed**, and
- (g) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Wellington Regional Council on request.

Rule R9: Biogas – permitted activity



The discharge of contaminants into air from any **large scale generator** not exceeding a maximum generating capacity of 2MW, from the combustion of **biogas** outside a **polluted airshed** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the sulphur content of the **biogas** shall not exceed 0.5% by weight, and
- (c) when the maximum generating capacity is more than 1MW, the discharge shall occur via a chimney stack or chimney at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney, and
- (d) the discharge shall be directed vertically into air, and shall not be impeded by any obstruction above the chimney stack or chimney that decreases the vertical efflux velocity, and
- (e) rain excluders shall not impede the vertical discharge of combustion gases, and
- (f) the discharge shall not at any time increase the concentration of PM₁₀ (calculated as a 24-hour mean) by more than 2.5µg/m³ in any part of a **polluted airshed**, and
- (g) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Wellington Regional Council on request.

Rule R10: Untreated wood – permitted activity



The discharge of contaminants into air from any **large scale generator** not exceeding a maximum generating capacity of 1MW, from the combustion of untreated wood outside a **polluted airshed** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the moisture content of the wood to be burned shall not exceed 25%, and
- (c) the discharge shall occur via a chimney stack or chimney of at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building, land or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney, and
- (d) the discharge shall be directed vertically into air and shall not be impeded by any obstruction above the chimney stack or chimney that decreases the vertical efflux velocity, and
- (e) rain excluders shall not impede the vertical discharge of combustion gases, and
- (f) the discharge shall not at any time increase the concentration of PM₁₀ (calculated as a 24-hour mean) by more than 2.5µg/m³ in any part of a **polluted airshed**, and
- (g) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Wellington Regional Council on request.

Rule R11: Coal, light fuel oil, and petroleum distillates of higher viscosity – permitted activity



The discharge of contaminants from any **large scale generator** not exceeding a maximum generating capacity of 500kW, from the combustion of coal, light fuel oil, and petroleum distillates of higher viscosity outside a **polluted airshed** is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the discharge shall occur via a chimney stack or chimney of at least 9.5m above ground level, or at least 3m above the ridge line of the roof or building, land or other structure, whichever is the highest, within a radius of 50m of the chimney stack or chimney, and

- (c) the discharge shall be directed vertically into air and shall not be impeded by any obstruction above the chimney stack or chimney that decreases the vertical efflux velocity, and
- (d) rain excluders shall not impede the vertical discharge of combustion gases, and
- (e) the discharge shall not at any time increase the concentration of PM₁₀ (calculated as a 24-hour mean) by more than 2.5µg/m³ in any part of a **polluted airshed**, and
- (f) the fuel burning equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and presented to the Wellington Regional Council on request.

Rule R12: Emergency power generators – permitted activity



The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:

- (a) the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or
- (b) the person operating the equipment is undertaking necessary maintenance or testing of the device, or
- (c) the electricity connection is not available due to planned outages, or load shedding/peak load generation is required

is a permitted activity, provided the following conditions are met:

- (d) the discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (e) the discharge shall not at any time increase the concentration of PM₁₀ (calculated as a 24-hour mean) by more than 2.5µg/m³ in any part of a **polluted airshed**.

Rule R13: Fuels not permitted in large scale generators – non-complying activity



The discharge of contaminants into air from a **large scale generator** from the combustion of **specified materials** is a non-complying activity.

5.1.5 Chemical and metallurgical processes

Rule R14: Spray coating within an enclosed space – permitted activity



The discharge of contaminants into air from the spray application of surface coatings containing diisocyanates or organic plasticisers, or water-based paints

within a spray booth and/or room is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- ~~(b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and~~
- (c) the spray booth and/or room is fitted with an extraction system that vertically discharges all contaminants and exhaust air to a vent, and
- (d) all vents shall be 3m above the building roof and shall discharge vertically, and
- (e) the discharge is not impeded by any obstruction above the vent that decreases the vertical efflux velocity, and
- (f) the discharge shall be filtered by an extraction system that removes more than 95% of particulate matter from the discharge. The filtration system shall be maintained to 95% efficiency at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.

Note

The spray booth and/or room is in accordance with the *AS/NZS 4114.1:2003 Spray painting booths, designated spray painting areas and paint mixing rooms, Part 1: Design, construction and testing*.

Rule R15: Spray coating not within an enclosed space – permitted activity



The discharge of contaminants into air from the spray application of surface coatings containing diisocyanates or organic plasticisers not within a spray booth and/or room is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the discharge shall be located at least 10m away from a **sensitive activity** or **sensitive areas**.

Rule R16: Printing processes – permitted activity



The discharge of contaminants into air from printing processes is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the undiluted water based inks, dyes and additives shall contain less than 5% volatile organic compounds by weight, and
- (d) the vent shall be 3m above the roof of the building and shall discharge vertically, and
- (e) the discharge is not impeded by any obstruction above the vent that decreases the vertical efflux velocity, and
- (f) the total discharge of hydrocarbon solvents shall not exceed 5kg per day, and a record of the amount of solvents used is held by the operator and available to the Wellington Regional Council on request.

Rule R17: Dry cleaning – permitted activity



The discharge of contaminants into air from dry cleaning processes is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the discharge shall contain no chlorofluorocarbons, and
- (d) maximum daily organic solvent used in the dry cleaning process shall not exceed 100kg per day, and
- (e) the recovery of organic solvents from the refrigerated condenser unit is more than 95% efficiency at all times. The control equipment is maintained by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.

Rule R18: Fume cupboards – permitted activity



The discharge of contaminants into air from a fume cupboard is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- ~~(b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and~~
- (c) the discharge shall occur from a vent 3m above the height of the ridge line of the roof of the building, and
- (d) the vent shall be 15m or more from a public access area.

Note

Laboratory fume cupboard shall comply with *AS/NZS 2243.8 Safety in Laboratories Part 8 – Fume cupboards (2006)*.

Rule R19: Workplace ventilation – permitted activity



The discharge of contaminants into air from windows, doors and vents as a result of the ventilation of buildings is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**.

Note

The ventilation system shall be in accordance with the *Workplace Exposure Standards and Biological Indices (1994)*, Department of Labour, and comply with *AS/NZS 3666.3 Air handling and water systems of buildings – Microbial control – Part 3: Performance based maintenance of cooling water system*.

Rule R20: Mechanical processing of metals – permitted activity



The discharge of contaminants into air from the mechanical processing of metals, including but not limited to, mechanical grinding, cutting and shaping by heat, machining, welding, soldering and arc air gouging is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the discharge into air from mechanical shredding of scrap metal indoors is through emission control equipment that achieves a

particulate emission rate of no more than 10mg/m³ (STP, dry gas basis and 12% CO₂ by volume). The control equipment shall be maintained at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.

Rule R21: Thermal metal spraying – permitted activity



The discharge of contaminants into air from thermal spraying of metal including the melting of metal or metal alloy is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the discharge is through control equipment that achieves a particulate emission rate of no more than 30mg/m³ (Standard Temperature and Pressure, dry gas basis and 12% CO₂ by volume). The control equipment shall be maintained at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.

Rule R22: Metallurgical or chemical processing of metal – discretionary activity



The discharge of contaminants into air from metallurgical and chemical processing of metal including:

- (a) melting of any metal or metal alloy (excluding activities permitted by Rule R20), and
- (b) electroplating, and
- (c) galvanising, and
- (d) cleaning of metals by pyrolysis, and
- (e) production of metals by wet process or by electrical or mechanical energy, and
- (f) extraction, including electrochemical methods of reduction of any metal or metal alloy from its ore, oxide or compounds, and
- (g) the heating in a furnace or other heating appliance of any metal or metal alloy for the purpose of removing grease, oil or any other non-metallic contaminant

is a discretionary activity.

5.1.6 Cremation and incineration

Rule R23: Crematoria – discretionary activity



The discharge of contaminants into air from human or animal **crematoria** is a discretionary activity.

Rule R24: Flaring of gas – discretionary activity



The discharge of contaminants into air from the flaring of gas and petrochemical products (including **biogas**) excluding landfill gas is a discretionary activity.

5.1.7 Dust generating activities

Rule R25: Abrasive blasting within an enclosed booth – permitted activity



The discharge of contaminants into air from dry or wet abrasive blasting undertaken in an enclosed booth is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) the enclosed booth is fitted with an air extraction system that discharges vertically all contaminants and exhaust air into a vent, and
- (c) the discharge is from a vent and the vent shall be 5m from a **sensitive activity** established prior to the commencement of the abrasive blasting operation, and
- (d) the free silica content of a sample of the blasting material is less than 5% by weight, and
- (e) the discharge is filtered by an extraction system that removes more than 95% of particulate matter and shall be maintained to 95% efficiency at all times. The filtration system shall be maintained at all times by a suitably qualified person at least once per annum, with a copy of the maintenance report held by the operator and available to the Wellington Regional Council on request.

Rule R26: Abrasive blasting outside an enclosed area – permitted activity



The discharge of contaminants into air from dry or wet abrasive blasting outside an enclosed area is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and

- (b) the operation of a mobile abrasive blasting unit used at one **property** is no more than 10 days in any 12 month period (except for abrasive blasting of the National grid), and
- (c) abrasive blasting shall only be undertaken when it is impracticable to remove or dismantle or transport a fixed object or structure to be cleaned in an abrasive blasting booth, and
- (d) if the blasting is dry abrasive blasting, the blasting materials shall only be garnet, sodium bicarbonate, crushed glass, or agricultural materials including crushed corn cobs or walnuts, and
- (e) if the blasting is wet abrasive blasting, the blasting shall only use water, and
- (f) the free silica content of a sample of the blasting material shall not exceed 5% by weight, and
- (g) all work areas and surrounding areas are kept clean and substantially free of accumulations of deposited material and other debris.

Rule R27: Handling of bulk solid materials aggregate – permitted activity



The discharge of contaminants into air from the handling of bulk solid materials aggregate (~~rock, sand and shingle~~) including from the activities of quarrying, mining, cleanfilling, blasting, extraction, crushing, screening, processing, stockpiling, handling, conveying, conveyance sorting, and storage is a permitted activity, provided the following condition are is met:

- (a) for the Commercial Port Area shown on Map 32 and Map 33 any discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the Commercial Port Area on Map 32 and Map 33, and
- (b) for all other areas, the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**.

Note

In relation to (b) above, all other areas include the Operational Port Area as defined in the Wellington City District Plan outside the Commercial Port Area as defined on Map 33.

Rule R28: Cement storage – permitted activity



The discharge of contaminants into air from the storage, handling, redistribution or packing of cement in fully enclosed silos and conveyance systems is a permitted activity, provided the following condition is met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**.

5.1.8 Food, animal or plant matter manufacturing and processing

Rule R29: Alcoholic beverage production – permitted activity



The discharge of contaminants into air from alcoholic beverage production is a permitted activity, provided the discharge shall not cause offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**.

Rule R30: Coffee roasting – permitted activity



The discharge of contaminants into air from roasting of coffee is a permitted activity, provided the discharge shall not cause offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**.

Rule R30A: Food, animal or plant matter manufacturing and processing – permitted activity



The discharge of contaminants into air from food, animal or plant matter manufacturing and processing including any process incidental to the cooking of food such as deep fat frying, oil frying, roasting, drying curing by smoking and the slaughter or skinning of animals:

- (a) not exceeding 250kg/hour of product,
- or
- (b) not exceeding 2 tonnes per hour of drying milk products to produce milk powders

is a permitted activity, provided the following condition is met:

- (a) the discharge does not cause offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**.

Rule R31: Food, animal or plant matter manufacturing and processing – discretionary activity



The discharge of contaminants into air from food, animal or plant matter manufacturing and processing that is not permitted by Rule 30A or includes:

- ~~(a) drying of milk products to produce milk powders of more than 2 tonnes per hour, or~~
- (b) extraction, distillation or purification of vegetable oils or fats, or
- (c) manufacture of animal casings, or
- (d) manufacture of yeast or starch, or

- (e) preservation of animal hides or skins or the removal of hair, wool or feathers (including tanneries and fellmongeries) by chemical or heat treatment, or
- (f) refinement of sugars, roasting or drying of berries, grains or plant matter (except roasting of green coffee beans in Rule R30), curing by smoking, flour or grain milling, baking, roasting, deep fat or oil frying exceeding 250kg/hour of product, or
- (g) rendering, reduction or drying of animal matter through the application of heat, or
- (h) wool scouring operations or dag washing

is a discretionary activity.

5.1.9 Fuel storage

Rule R32: Petroleum storage or transfer facilities – permitted activity



The discharge of contaminants into air from the storage or transfer of petroleum products including but not limited to, volatile organic compounds, solvent vapours, ventilation of solvents and displacement of solvents is a permitted activity, provided the following conditions are met:

- (a) the discharge does not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property** that does, or is likely to, cause adverse effects on human health, ecosystems or property.

5.1.10 Mobile sources

Rule R33: Mobile source emissions – permitted activity



The discharge of contaminants into air from a **mobile source** is a permitted activity.

5.1.11 Gas, water and wastewater processes

Rule R34: Gas, water and wastewater processes – permitted activity



The discharge of contaminants into air from the enclosed storage, conveyance and pumping of gas (including natural gas), water and **wastewater** processes is a permitted activity, provided the following condition is met:

- (a) the discharge shall not cause offensive or objectionable odour at the boundary of a **sensitive activity**.

5.1.12 Drying and kiln processes

Rule R35: Drying and heating of minerals – permitted activity



The discharge of contaminants into air from drying and heating of clay or cement based products or firing in kilns heated by electricity or combustion of natural gas or liquid petroleum gas is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**, and
- (c) the total **property** production capacity from the drying and heating of clay or cement based products shall not exceed 5 tonnes of finished product per day, and
- (d) the kiln heating capacity shall not exceed 500kW per day.

5.1.13 ~~Ground-based and aerial applications~~ Discharge of agrichemicals

General conditions for the discharge of agrichemicals



General conditions for the discharge of **agrichemicals** into air, or onto or into land where it may enter water, or over or into water are that:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no discharge directly into the coastal marine area or a **surface water body**, unless the **agrichemical** is approved by the Environmental Protection Agency for use over or into water-, and
- (c) there is no discharge over or into water in a surface water **community drinking water supply protection area** as shown on Map 26, or upstream of a surface water intake for a **group drinking water supply**, and
- (e)(d) the **agrichemical** is approved by the Environmental Protection Agency, and
- (d)(e) the discharge shall be undertaken in accordance with the directions on the **agrichemical** product label, the manufacturer's instructions and safety data sheets, or as specifically approved by the Environmental Protection Authority, and
- (e)(f) in public places, including alongside roadways,
 - (i) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours,

droplets or ash on any **property** adjacent to where the discharge originates, and

- (g) the applicator must display prominent signage advising that **agricultural** spraying is taking place.

Rule R36A: Handheld discharge of agriculturals – permitted activity 

The discharge of **agricultural** into air, or onto or into land where it may enter water, or over or into water, using a handheld and hand-pumped sprayer with a capacity of 20 litres or less is a permitted activity, provided the following condition is met:

- (a) the discharge of **agricultural** shall comply with the general conditions of Section 5.1.13.

Rule R36B: Motorised and aerial discharge of agriculturals – permitted activity 

The discharge of **agricultural** into air, or onto or into land where it may enter water, using a motorised sprayer or aerial discharge is a permitted activity, provided the following conditions are met:

- (a) the discharge of **agricultural** shall comply with the general conditions of Section 5.1.13, and

- (b) there is no discharge into water or, onto a roof used for rain water collection, and

- (c) aerial applicators must keep GPS records of aerial discharge of **agricultural** for at least three years and provide these to the Wellington Regional Council on request. The records must include the spray swath and secondary flight paths, and

- (d) where the discharge is in or adjacent to a **sensitive area**, the landowner of a **property** shall prepare a spray plan, and notify all persons likely to be affected by the discharge of **agricultural**; the landowner may contract out the responsibility to the applicator, and

- (e) where the discharge of **agricultural** is in a public place the notification of all persons likely to be affected by the discharge of **agricultural** must be undertaken as follows:

- (i) placing a public notice in a local newspaper or letter drop in the area to be sprayed at least seven working days prior to the discharge date, or

- (ii) placing signs in the immediate vicinity of the spraying during the spray period and any required stand-down period afterwards, or where spraying is occurring on or alongside roads, any vehicle associated with the spraying must display a sign on the front and the rear of the vehicle advising that spraying is in occurring.

Note

A spray plan is prepared in accordance with NZS 8409: 2004 Management of Agrichemicals (section 5.3, and Appendix M4).

~~Rule R36: Agrichemicals—permitted activity~~ 

~~The discharge of **agr**ichemicals into air or onto or into land where it may enter water is a permitted activity, provided the following conditions are met:~~

~~For all applications excluding residential areas and hand-held/knapsack applications:~~

- ~~(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and~~
- ~~(b) the discharge shall be in accordance with the rate specified on the **agr**ichemical product label or the manufacturer's instructions, and~~
- ~~(c) the **agr**ichemical is in accordance with the Hazardous Substances and New Organisms Act 1996, and~~
- ~~(d) there is no aerial spraying in areas zoned residential or urban in district plans areas, and~~
- ~~(e) there is no discharge into water or within a **community drinking water supply protection area**, and~~
- ~~(f) the discharge shall be in accordance with NZS 8409:2004 Management of Agrichemicals, including where relevant to the particular substance and application method being used:
 - ~~(i) Storage Appendix L1, and~~
 - ~~(ii) Use Part 5.3, and~~
 - ~~(iii) Disposal Appendix S, and~~
 - ~~(iv) Records Appendix C9, and~~~~
- ~~(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 **agr**ichemical shall occur in accordance with NZS 8409:2004 Management of Agrichemicals: Section 5.3 and Appendix M4, and~~
 - ~~(ii) notify adjacent neighbours likely to be affected that a spray plan is available on request at start of a spray season, or~~
 - ~~(iii) gain written agreement from adjoining neighbours that notification is not required, and or~~~~

- (iv) ~~supply a copy of the spray plan at least 24 hours prior to the discharge of **agricultural** to the owner/occupier of a **property** identified as a **sensitive area** or likely to be directly affected by the discharge, or requests a copy, and~~
- (h) ~~for ground-based applications by a commercial applicator the principle applicator shall: any person applying agricultural in a public place or on private property for hire or reward, must be a Registered Chemical Applicator; or a holder of an Approved Handler certificate and be under the immediate and direct supervision of a holder of Registered Chemical Applicator accreditation, and~~
 - (i) ~~hold a current GROWSAFE[®] Registered Chemical Applicators Certificate, or~~
 - (iv) ~~hold a current GROWSAFE[®] Introductory Certificate and be supervised by a person holding a current GROWSAFE[®] Registered Chemical Applicators Certificate, and~~
- (i) ~~for ground-based applications where the applicator is not a commercial applicator the applicator shall:~~
 - (i) ~~hold a GROWSAFE[®] Introductory Certificate, or~~
 - (iv) ~~be supervised by a person holding a current GROWSAFE[®] Advanced Certificate, and~~
- (j) ~~for aerial applications the applicator shall:~~
 - (i) ~~hold a Pilots' **Agricultural** Rating Certificate issued by the Civil Aviation Authority under Civil Aviation Rule 61, and~~
 - (ii) ~~the company or operator holds an suitable accreditation for **agricultural** application, and~~
- (k) ~~all **agricultural** shall be securely contained and stored in accordance with NZS 8409:2004: Management of Agricultural: Appendix L4, and~~
- (l) ~~all mixing and application of **agricultural** shall be conducted in accordance with NZS 8409:2004 Management of Agricultural: Appendix F, and~~
- (m) ~~records are kept in accordance with NZS 8409:2004: Management of Agricultural: Appendix C9 and shall be available to the Wellington Regional Council upon request, and~~
- (n) ~~in public amenity areas the applicator shall:~~
 - (i) ~~place signs in the immediate vicinity before spraying begins, and remain in place until the withholding or re-entry period, as specified on the product label, has expired, and~~

- (ii) ~~alongside roadways, vehicles associated with spraying **agrichemicals** shall display prominent signs (front and back) advising that spraying is in progress, and~~
- (o) ~~for discharges adjacent to a **sensitive area** a risk assessment prior to the discharge shall be undertaken in accordance with *NZS 8409:2004: Management of Agrichemicals*.~~

Rule R37: Agrichemicals into surface water bodies water – permitted activity



The discharge of **agrichemicals** into surface water bodies water is a permitted activity, provided the following conditions are met:

- (a) ~~the **agrichemical** is approved by the Environmental Protection Authority for discharge into surface water bodies water, and~~
- (b) ~~the discharge shall be in accordance with *NZS 8409:2004 Management of Agrichemicals* and *NZS 8409:2004 Management of Agrichemicals, Records – Appendix C9* unless inconsistent with the relevant Environmental Protection Agency approval in which case the conditions of the relevant Environment Protection Agency approval is followed, and~~
- (c) ~~any person (including from a boat) applying **agrichemicals** in a public place or on private **property** for hire or reward, must be a Registered Chemical Applicator; or a holder of an Approved Handler certificate and be under the immediate and direct supervision of a holder of Registered Chemical Applicator accreditation, or~~
- (d) ~~for ground-based applications the applicator shall hold either:

 - (i) ~~a current GROWSAFE[®] Registered Applicators Certificate with the Aquatic strand, or~~
 - (ii) ~~New Zealand Qualification Authority National Certificate in Agrichemical Application with the Aquatic strand, and~~~~
- (e) ~~for aerial applications the applicator shall hold either:

 - (i) ~~a Pilots' Agrichemical Rating Certificate issued by the Civil Aviation Authority under Civil Aviation Rule 61, or~~
 - (ii) ~~the company or operator holds an suitable accreditation for **agrichemical** application, and~~~~
- (f) ~~the applicator shall notify:

 - (i) ~~every person taking water for potable supply within 1km downstream of the proposed discharge 12 hours before the discharge begins, and~~~~

- ~~(ii) each resource consent holder for taking water from a **community drinking water supply protection area** downstream of the discharge one week before the discharge begins, and~~
- ~~(g) in a public amenity area the applicator shall:

 - ~~(i) place signs in the immediate vicinity before spraying begins, and remain in place until the withholding or re-entry period as specified on the product label has expired, and~~
 - ~~(ii) alongside roadways, vehicles associated with spraying **agricultural** shall display prominent signs (front and back) advising that spraying is in progress.~~~~

Note

Aerial application of **agricultural** to **natural wetlands** is controlled by Rule R105.

Rule R38: Agricultural not permitted –restricted discretionary activity 

The discharge of **agricultural** into air or onto or into land where it may enter water or into water that is not permitted by Rule R36A or Rule R36B7, is a restricted discretionary activity.

Matters for discretion

1. The substance to be discharged including its toxicity and volatility and the carrying agent (formulation)
2. The proposed method of discharge, including the type of spray equipment to be used, the spray volume and droplet size, the direction of spraying and the height of release above the ground
3. The nature of any training undertaken by the operator
4. Measures to avoid **agricultural** spray drift beyond the target site
5. The extent to which the use or discharge complies with *NZS8409:2004 Management of Agricultural*
6. The proximity of the discharge to **sensitive areas**
7. The timing of the discharge in relation to weather conditions
8. Communication requirements for the discharge
9. Measures to avoid adverse effects on human drinking water quality

5.1.14 Fumigation

Rule R39: Fumigation – permitted activity



The discharge of **fumigants** into air excluding ethylene dibromide, ethylene oxide, methyl bromide, hydrogen cyanide, phosphine or chloropicrin is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property**.

Rule R40: Discharge of other fumigants – controlled activity



The discharge of **fumigants** that is not permitted by Rule R39, or the discharge of fumigants including, ethylene dibromide, ethylene oxide, methyl bromide, hydrogen cyanide, phosphine or chloropicrin into air is a controlled activity.

Matters of control

1. Monitoring and reporting requirements
2. Distance of the buffer zone from the area of discharge.

5.1.15 All other discharges

Rule R41: All other discharges – discretionary activity



The discharge of contaminants into air that are not permitted, controlled, discretionary, non-complying or prohibited is a discretionary activity.

5.2 Discharges to land and water

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. ~~This does not apply w~~Where a proposal includes a number of activities which trigger separate specific rules. ~~In that case,~~ all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon 

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

Note

The rules relating to the discharge of contaminants to water, do not apply to the discharge of contaminants to water in relation to an existing National Grid line (existing at 14 January 2010) that forms part of the National Grid. These activities are covered by Regulations 28 and 29 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Discharges to <u>land and water</u>	Page	P	C	RD	D	NC	Pr
<u>Water d</u> Discharges <u>of water and contaminants</u>	115 142						
Rule R43: Water to water	117 142	•					
Rule R44: Pool and spa pool water	117 142	•					
Rule R45: Potable water	117 143	•					

Rules – Discharges to <u>land and water</u>	Page	P	C	RD	D	NC	Pr
Rule R46: Dye or salt tracer	118 143	•					
Rule R47: Other dye or salt tracer	119 144		•				
Stormwater	119 145						
Rule R48: Stormwater from an individual property	119 145	•					
Rule R48A: Stormwater from new subdivision and development	146	•					
Rule R52A: Stormwater from new subdivision and development	146			•			
Rule R49: Stormwater to land	120 146	•					
Rule R50: Stormwater from a local authority network at plan notification	120 147		•				
Rule R51: Stormwater from a local authority network two years after public notification with a stormwater management strategy	124 148			•			
Rule R52: Stormwater from a port, airport or state highway large sites	124 148			•			
Rule R53: All other stormwater	122 149				•		
Water races and pumped drainage schemes	123 149						
Rule R58: Water races	123 149				•		
Rule R59: Existing pumped drainage schemes	123 149	•					
Rule R60: All other pumped drainage schemes	123 150				•		
On-site domestic wastewater	150						
Rule R71: Pit latrine	129 150	•					
Rule R72: Composting toilets	130 151	•					
Rule R73: Greywater	130 151	•					
Rule R74: Existing on-site <u>domestic</u> wastewater systems	131 152	•					
Rule R75: New or upgraded <u>modified</u> on-site <u>domestic</u> wastewater systems	132 153	•					
Rule R76: New or upgraded <u>modified</u> on-site <u>domestic</u> wastewater systems within community drinking water supply protection areas	133 154		•				
Wastewater	124 156						
Rule R61: Existing w Wastewater <u>discharges to coastal and fresh water</u>	124 156				•		
Rule R62: New <u>discharges of</u> wastewater to fresh water – non-complying activity	124 157					•	
Rule R79: Discharge of treated wastewater <u>from an industrial or trade process</u>	124 157		•				
Rule R80: Discharge of treated wastewater <u>from a wastewater network</u>	124 162			•			

Rules – Discharges to <u>land and water</u>	Page	P	C	RD	D	NC	Pr
Drinking water treatment plant waste	142 164						
Rule R81: Drinking water treatment plant supernatant waste	142 164		•				
Biosolids	135 165						
Rule R77: Application <u>Discharge</u> of Aa biosolids to land	135 165	•					
Rule R78: Application <u>Discharge</u> of biosolids (Ab, Ba, or Bb) to land	135 165			•			
Fertiliser and animal effluent	142 166						
Rule R82: Application <u>Discharge</u> of fertiliser from ground-based or aerial application-discharge	142 166	•					
Rule R83: Discharge of collected animal effluent onto or into land	143 167		•				
Rule R84: Discharge of collected animal effluent to water	144 168					•	
<u>Compost, solid animal waste, refuse, silage and compost refuse</u>	146 168						
Rule R85: Application <u>Discharge</u> of compost <u>or solid animal waste</u> to land	144 168	•					
Rule R86: Application <u>Discharge</u> of compost <u>or solid animal waste</u> to land	145 169			•			
Rule R90: Manufacture and storage of silage and compost, <u>and storage of solid animal waste</u>	147 169	•					
Rule R89: Farm refuse dumps	146 170	•					
Rule R91: Offal pit	148 171	•					
<u>Cleanfill material</u>	172						
Rule R70: Cleanfill material	129 172	•					
Contaminated land and hazardous substances	122 172						
Rule R54: <u>Detailed Site</u> investigation	122 173	•					
Rule R55: Discharges from contaminated land	122 173	•					
Rule R56: <u>Investigation of, or Discharges</u> from contaminated land	123 174				•		
Rule R57: Discharge of hazardous substances	123 174					•	
Vertebrate toxic agents	145 174						
Rule R87: Land-based discharge of vertebrate toxic agents	145 174	•					
Rule R88: Aerial application <u>discharge</u> of vertebrate toxic agents	145 175		•				
<u>Wastewater from ships and offshore installations and Biofoul cleaning</u>	124 176						
Rule R63: Wastewater from ships and offshore installations	124 176	•					

Rules – Discharges to <u>land and water</u>	Page	P	C	RD	D	NC	Pr
Rule R64: Wastewater from ships and offshore installations	424-176					•	
Rule R65: In-water biofoul cleaning	424-176	•					
Rule R66: In-water biofoul cleaning	425-177				•		
All other discharges	425-177						
Rule R42: Minor discharges	445-177	•					
Rule R69: Minor contaminants	428-179	•					
Rule R92: All Discharges to land <u>from a new pit latrine, a new farm refuse dump, a new offal pit, or of collected animal effluent</u> within a community drinking water supply protection areas	448-179			•			
Rule R67: All other Discharges <u>inside to sites of significance</u>	425-180					•	
Rule R68: All other discharges	425-180				•		
Rule R93: All other discharges to land	449-181				•		

5.2.1 Discharges to land and water other methods



The Wellington Regional Council will promote sustainable land and water management through Methods M1, M2, [M6](#), M7, M8, M9, M10, M11, M12, M13, M14, M15, M16, M17, M18, M19, M20, M21, [M22](#), M25, M26, M27, and M28.

5.2.2 ~~Water~~ Discharges of water and contaminants

Rule R43: Water to water – permitted activity



The discharge of water into water is a permitted activity, provided the following conditions are met:

- the discharge is to the same water body or area of coastal water it was taken from, and
- the quality of the discharged water is the same as or better than the quality of the water body or area of coastal water it was taken from, and
- the discharge shall not cause a change in temperature of more than 2°C in the receiving water after the **zone of reasonable mixing**, and
- the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.

Rule R44: Pool and spa pool water – permitted activity



The discharge of water into water, or onto or into land where it may enter water from a swimming pool, or spa pool, on a residential **property** is a permitted activity provided the following conditions are met:

- (a) the discharge ~~is not into~~ does not enter a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), ~~or~~ Schedule F4 (coastal sites), or Schedule H1 (contact recreation) and
- (b) the discharge shall not contain any filter backwash water, copper chemicals or flocculants, including, but not limited to, aluminium salts, and
- (c) the swimming pool or spa pool is not covered for a period of 14 days, and has not been treated within the previous 14 days with a pool sanitising agent, including, but not limited to, chlorine, bromine or polyhexamethylene biguanide, and
- (d) if the discharge enters fresh water, the discharge is not from a saltwater pool, and
- (e) the discharge shall not result in water or contaminants discharging onto another **property**.

Rule R45: Potable water – permitted activity



The discharge of potable water, including scouring water, into water, or onto or into land where it may enter water, for the purpose of draining pipelines or water reservoirs for inspection, repair, maintenance or upgrade upgrade is a permitted activity provided the following conditions are met:

- (a) if the discharge is to a tidally-influenced environment, the discharge occurs during the time between three hours before and three hours after high tide, unless the discharge occurs directly into open water without disturbing sediment, and
- (b) the discharge shall not contain backwash water from a water treatment plant, and
- (c) the concentration of free or combined residual chlorine in the discharge shall not exceed 0.3g/m³, and
- (d) the concentration of fluoride in the discharge shall not exceed 1.5g/m³, and
- (e) the discharge shall not cause any conspicuous change in the colour or visual clarity in the receiving water after the **zone of reasonable mixing**, and
- (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.

Rule R46: Dye or salt tracer – permitted activity



The discharge of dye or salt tracer, excluding radioisotope tracers, into water or onto or into land where it may enter water is a permitted activity, provided the following conditions are met:

- (a) the discharge is not into a water body within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, and
- (b) the dye or salt tracer shall not exceed:
 - (i) 20L of dye in solution, or
 - (ii) 10kg of salt, or
 - (iii) 100L of salt solution, and
- (c) the dye or salt tracer is not a **hazardous substance** in accordance with the Hazardous Substances and New Organisms Act 1996, and
- (d) the Wellington Regional Council is notified ~~in writing of the discharge at least 24 hours before the time of~~ prior to the dye or salt tracer being discharged, including details of the:
 - (i) persons responsible for the discharge, including contact details, and
 - (ii) nature of the tracer (including type, colour, product name or description), and
 - (iii) location, timing and duration of the discharge, and
 - (iv) purpose of the tracer programme.

Rule R47: Other dye or salt tracer – controlled activity



The discharge of salt or dye tracer, including radioisotope tracers, into water, or onto or into land where it may enter water, not permitted by Rule R46 is a controlled activity.

Matters of control

1. Duration and timing of the discharge
2. Volume, concentration and type of the tracer
3. Effects on **aquatic ecosystem health** and **mahinga kai**
4. Effects on **community drinking water supply** water quality
5. 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) or Schedule H1 (contact recreation).

Notification

In respect of Rule R47 applications are precluded from public notification (unless special circumstances exist).

5.2.3 Stormwater

Rule R48: Stormwater from an individual property – permitted activity



The discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, from an individual **property** is a permitted activity, provided the following conditions are met:

- ~~(a) the discharge is not into a site identified in Schedule A (outstanding water bodies), and~~
- (a) the discharge does not originate from industrial or trade premises where **hazardous substances** are stored or used unless:
 - (i) **hazardous substances** cannot enter the **stormwater** system, or
 - (ii) the **stormwater** contains no **hazardous substances** except petroleum hydrocarbons, and the **stormwater** is passed through an interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release, and
- (b) the discharge is not from, onto or into ~~contaminated land~~ SLUR Category III land, unless
 - (i) the **stormwater** does not come into contact with SLUR Category III land, and
- (c) the discharge is not from a local authority **stormwater network**, a port, airport or state highway, and
- (d) the discharge shall not contain **wastewater**, and
- (e) the concentration of total suspended solids in the discharge shall not exceed:
 - (i) 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), or Schedule H1 (contact recreation), except when the background total suspended solids in the receiving water is greater than 50g/m³, in which case the decrease in water clarity after the **zone of reasonable mixing** shall not exceed 20%, or
 - (ii) 100g/m³ where the discharge enters any other ~~fresh or coastal~~ water, except when the background total suspended solids in the receiving water is greater than 100g/m³ in which case the decrease in water clarity after the **zone of reasonable mixing** shall not exceed 33%, and

- (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- (g) the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:
 - (i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
 - (ii) any conspicuous change in the colour or visual clarity, or
 - (iii) any emission of objectionable odour, or
 - (iv) the fresh water is unsuitable for consumption by farm animals, or
 - (v) any significant adverse effects on aquatic life.

Note

In respect of the discharge of sediment ~~stormwater~~ discharges from **earthworks** activities refer to Rules R99 and R101.

Rule R48A: Stormwater from new subdivision and development – permitted activity



The discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority **stormwater network**, from:

- (a) a new urban subdivision or development associated with **earthworks** up to a total area of 3,000m² per **property** per 12 month period, or
- (b) a new urban subdivision or development in an area where a **stormwater management strategy** in accordance with Schedule N (stormwater strategy) applies

is a permitted activity provided the following condition is met:

- (c) the discharge shall comply with the conditions of Rule R48 except condition R48(c).

Rule R52A: Stormwater from new subdivision and development – restricted discretionary activity



The discharge of **stormwater** from a new subdivision or development into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority **stormwater network**, that is not permitted by Rule R48A is a restricted discretionary activity.

Matters for discretion

1. Measures to minimise the adverse effects of **stormwater** discharges in accordance with Policy P73, including the extent to which **water sensitive urban design** measures are employed
2. Measures to manage runoff volumes and peak flows in accordance with Policy P79
3. Requirements of any relevant local authority **stormwater network** discharge consent

Rule R49: Stormwater to land – permitted activity



The discharge of **stormwater** onto or into land, including where contaminants may enter groundwater, ~~from an individual property~~ is a permitted activity provided the following conditions are met:

- (a) the discharge is not from, onto or into **SLUR Category III land contaminated land**, and
- (b) the discharge shall not cause or exacerbate the flooding of any other ~~property~~, and
- (c) the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water, and
- (d) the discharge does not originate from industrial or trade premises where **hazardous substances** are stored or used unless:
 - (i) **hazardous substances** cannot enter the **stormwater** system,
or
 - (ii) the **stormwater** contains no **hazardous substances** except petroleum hydrocarbons, and the **stormwater** is passed through an interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release.

Rule R50: Stormwater from a local authority network at plan notification – controlled activity



The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** into water, or onto or into land where it may enter water, from a local authority **stormwater network** is a controlled activity, provided the following condition is met:

- (a) the resource consent application is received within six months of this rule becoming operative ~~two years of the date of public notification of the Proposed Natural Resources Plan (31.07.2015).~~

Matters of control

1. Requirements to monitor and report on the quality of **stormwater** discharges to fresh and/or coastal water, including of **stormwater** discharges containing **wastewater**

2. Management of acute effects of **stormwater** on human health detected during monitoring
3. Duration of consent up to a maximum of five years
4. Timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy)

Notification

In respect of Rule R50 applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

Rule R51: Stormwater from a local authority network with a stormwater management strategy two years after public notification – restricted discretionary activity

The discharge of **stormwater**, including stormwater that may be contaminated by wastewater, into water, or onto or into land where it may enter water, from a local authority **stormwater network** that is not provided for by Rule R50 two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) is a restricted discretionary activity, provided the following condition is met:

- (a) the resource consent application includes a **stormwater management strategy** in accordance with Schedule N (stormwater strategy).

Matters for discretion

1. The contents and implementation of the **stormwater management strategy** in accordance with Schedule N (stormwater strategy)
2. Development and implementation of methods, such as catchment-specific **stormwater** management plan(s), in accordance with any relevant objectives identified in this plan, including any relevant **whaitua**-specific objectives
3. Management of adverse effects, including cumulative effects, on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**
4. Management of adverse effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)

5. Management of adverse effects on human health

Rule R52: Stormwater from a port, airport or state highway large sites – restricted discretionary activity

The discharge of **stormwater** into water, or onto or into land where it may enter a surface water body or coastal water, including through a local authority stormwater network, from a port, airport or state highway is a restricted discretionary activity.

Matters for discretion

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**
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)
3. Minimisation of the adverse effects of **stormwater** discharges through progressive improvement over time

Rule R53: All other stormwater – discretionary activity



The discharge of **stormwater**, including stormwater that may be contaminated by wastewater into water or onto or into land where it may enter water that is not permitted by Rules R48, R48A or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, ~~or R52~~, or R52A is a discretionary activity.

5.2.4 Water races and pumped drainage schemes

Rule R58: Water races – discretionary activity

The discharge of water or contaminants ~~into water~~ from a **water race** shown on Map 28 into water is a discretionary activity.

Rule R59: Existing pumped drainage schemes – permitted activity



The discharge of water or contaminants into a **surface water body**, or coastal water from an existing **pumped drainage scheme**, established before 31 July 2015 the date of public notification of the Proposed Natural Resources Plan (31.07.2015), is a permitted activity provided the following conditions are met:

- (a) the discharge shall not cause any erosion of the channel or banks of the receiving water body or coastal marine area ~~erosion occurring as a result of the discharge shall be remedied~~, and
- (b) the concentration of total suspended solids in the discharge shall not exceed:
 - (i) 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua, Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation),
 - (ii) 100g/m³ where the discharge enters any other water,
- (c) the discharge shall not cause the concentration of *E.coli* in a significant contact recreation fresh water body to exceed the limits in Table 3.1, or

~~(b)(d)~~ the discharge shall not give rise to the following ~~effects~~ after the **zone of reasonable mixing**:

- ~~(i)~~ the daily minimum dissolved oxygen concentration of less than 4mg/L, or
- ~~(ii)~~ the 7-day mean minimum dissolved oxygen concentration of less than 5mg/L, or
- ~~(iii)~~ a change in the pH of ± 0.5 pH unit, or
- ~~(iv)~~ the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
- ~~(v)~~ any conspicuous change in the colour or visual clarity, or
- ~~(vi)~~ any emission of objectionable odour, or
- ~~(vii)~~ fresh water is unsuitable for consumption by farm animals, or
- ~~(viii)~~ any significant adverse effects on aquatic life.

Rule R60: All other pumped drainage schemes – discretionary activity



The discharge of water or contaminants into a **surface water body**, or coastal water, from a **pumped drainage scheme** established after 31 July 2015 ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~, or from a **pumped drainage scheme** that is not permitted by Rule R59, is a discretionary activity.

5.2.5 **On-site domestic wastewater**

Rule R71: Pit latrine – permitted activity

The discharge of domestic **wastewater** from a pit latrine onto or into land where a contaminant may enter water and the associated discharge of odour to air from a new pit latrine is a permitted activity, provided that the following conditions are met:

- (a) the **pit latrine** is not located:
 - (i) within 20m ~~50m~~ of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, or
 - (ii) within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, or
 - (iii) where a sewer connection is available, and
- (b) the **pit latrine** shall be located in silty or clay soils, and
- (c) the bottom of the **pit latrine** shall be 0.6m above the seasonally highest water table, and

- (d) **stormwater** is prevented from entering the **pit latrine**, and
- (e) domestic **wastewater** in the **pit latrine** shall not accumulate to a level less than 0.3m of the original ground surface, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

Rule R72: Composting toilets – permitted activity

The discharge of domestic **wastewater** from a composting toilet onto or into land where a contaminant may enter water, and the associated discharge of odour to air from a composting toilet is a permitted activity, provided the following conditions are met:

- (a) the discharge shall occur on the **property** where the **composting toilet** is located, and
- (b) the discharge has been aerobically composted for more than 12 months from the last addition of raw domestic **wastewater**, and
- (c) the discharge is not within ~~20m~~ **50m** of a **surface water body**, the coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (d) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of the discharge under other legislation or bylaws.

Rule R73: Greywater – permitted activity

The discharge of **greywater** onto or into land where a contaminant may enter water, and the associated discharge of odour to air is a permitted activity, provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the ~~application–discharge~~ rate of **greywater** shall not exceed a maximum daily volume of 2,000L, and
- (c) the discharge is not located within:
 - (i) 20m of a **surface water body** or the coastal marine area, or **bore** used for water abstraction for potable supply, ~~or~~ and

- (ii) 20m of the boundary of the **property**, unless the land ~~application—discharge~~ system consists of a pressure compensating drip irrigation system where the boundary set back is 5m, and
- (d) the discharge shall not pond on the surface of the ground or runoff from the discharge area, and
- (e) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

Rule R74: Existing on-site domestic wastewater systems – permitted activity

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water, and the associated discharge of odour to air from an **on-site domestic wastewater treatment and discharge system** that ~~exists~~ existed at the date of public notification of the Proposed Natural Resources Plan (31.07.2015) 31 July 2015 is a permitted activity provided the following conditions are met:

- (a) the **on-site domestic wastewater treatment and discharge system** has not been ~~altered or~~ modified from that established at the time the system was constructed, other than through routine maintenance or building consent approvals for the system or related changes to the connected ~~building dwelling~~, and
- (b) the volume of the discharge has not been increased ~~beyond that approved~~ as a result of the addition of buildings, an alteration of an existing building, or a change in use of a building that is connected to the system, and
- (c) the **on-site domestic wastewater treatment and discharge system** is:
 - (i) operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of the *New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
 - (ii) the system is performing effectively, including the **sludge** and scum layers not occupying more than one half of the system primary tank volume, and
- (d) the volume of domestic **wastewater** to be discharged from any one system shall not exceed 1,300L/day (calculated as a weekly average), and

- (e) there is no direct discharge to groundwater, a **surface water body** or above ground level, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

It is recommended that performance inspections be carried out every two years, or more frequently if required by the system manufacturer.

Rule R75: New or ~~upgraded~~ modified on-site domestic wastewater systems – permitted activity

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water, and the associated discharge of odour to air from ~~a new or upgraded~~ an on-site domestic wastewater treatment and discharge system installed or modified after 31 July 2015 is a permitted activity provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the **on-site domestic wastewater treatment and discharge system** design shall meet the requirements of *AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
- (c) the flow allowance used to calculate the system design flow must be no less than 145L per person per day where the water supply is provided by roof water collection, or no less than 180L per person per day for other sources of water supply, and
- (d) the discharge shall consist only of contaminants normally associated with domestic sewage, and
- (e) the discharge is not located within:
 - (i) 20m of a **surface water body**, coastal marine area, **gully** or **bore** used for water abstraction for potable supply, or 50m from a bore used for water abstraction for potable supply when the discharge is from an on-site domestic wastewater treatment and discharge system installed after 31 July 2019, or
 - (ii) 20m of the boundary of the **property** unless the land ~~application—discharge~~ system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or
 - (iii) 0.1m of the soil surface unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, or

- (iv) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, ~~and or~~
- (v) a property where there is a wastewater network available, and
- (f) the **on-site domestic wastewater treatment and discharge system** is operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of *AS/NSZ 1547:2012 – On-Site Domestic Wastewater Management*, and
- (g) the discharge shall not exceed 14,000L/week ~~or~~ and a maximum daily volume of 2,000L, and
- (h) the **wastewater** is discharged evenly to the entire filtration surface of the discharge field and shall not cause ponding or surface runoff from the discharge area, and
- (i) the system is performing effectively, including the **sludge** and scum layers not occupying more than one half of the system primary tank volume, and
- (j) the following reserve areas shall be provided:
 - (i) for primary treatment systems using a discharge field basal loading rate, the reserve area allocation must be not less than 100% of the discharge field, or
 - (ii) for pressure compensating drip irrigation systems, no reserve area is required, or
 - (iii) for all other systems, the reserve area must be not less than 50% of the discharge field, and
- (k) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

It is recommended that performance inspections be carried out every two years, or more frequently if required by the system manufacturer.

Rule R76: New or ~~upgraded~~ modified on-site domestic wastewater systems within community drinking water supply protection areas – controlled activity

The discharge of domestic **wastewater** onto or into land and the associated discharge of odour to air from a new or ~~upgraded~~ modified on-site domestic wastewater treatment and discharge system within a **community drinking**

water supply protection area that is not permitted by Rule R75 is a controlled activity provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the **on-site domestic wastewater treatment and discharge system** design shall meet the requirements of *AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
- (c) the flow allowance used to calculate the system design flow must be no less than 145L per person per day where the water supply is provided by roof water collection, or no less than 180L per person per day for other sources of water supply, and
- (d) the discharge shall consist only of contaminants normally associated with domestic sewage, and
- (e) the discharge is not located within:
 - (i) 20m of a **surface water body**, coastal marine area, **gully gully** or **bore** used for water abstraction for potable supply, or
 - (ii) 20m of the boundary of the **property** unless the land ~~application—discharge~~ system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or
 - (iii) 0.1m of the soil surface unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, and
- (f) the **on-site domestic wastewater treatment and discharge system** is operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of *AS/NSZ 1547:2012 – On-Site Domestic Wastewater Management*, and
- (g) the discharge does not exceed 14,000L/week ~~or~~ **and** a maximum daily volume of 2,000L, and
- (h) the system is performing effectively, and the **sludge** and scum layers are not occupying more than one half of the system primary tank volume, and
- (i) the **wastewater** is discharged evenly to the entire filtration surface of the discharge field and shall not cause ponding or surface runoff from the discharge area, and
- (j) the following reserve areas shall be provided:
 - (i) for primary treatment systems using a discharge field basal loading rate, the reserve area allocation must be not less than 100% of the discharge field, or

- (ii) for pressure compensating drip irrigation systems, no reserve area is required, or
 - (iii) for all other systems, the reserve area must be not less than 50% of the discharge field, and
- (k) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, and
- (l) there is no wastewater network available to the property.

Matters of control

1. Type and concentration of the contaminants in the discharge, and effects on **community drinking water supply** water quality
2. Travel time and path of contaminants from source to any **community drinking water supply** abstraction point
3. Treatment, design, maintenance and frequency of monitoring and maintenance inspections
4. Sampling of the discharge, on at least an annual basis, for biochemical oxygen demand, total suspended solids and *E.coli*
5. Risk of accident or an unforeseen event causing significant adverse effects on water quality

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

5.2.6 Wastewater

Rule R61: Existing wastewater discharges to coastal and fresh water
– discretionary activity



The discharge of **wastewater**:

- (a) into coastal water, or
- (b) that is an **existing discharge** into fresh water and meets the following conditions:
 - (i) the volume of the discharge is reduced
 - (ii) the volume or concentration of contaminants is reduced
 - (iii) the range of contaminants in the discharge is not increased

is a discretionary activity.

Notification

Any resource consent application arising from Rules R61 and R62 may be publicly notified; but shall be notified to the relevant iwi authority where their written approval has not been obtained.

Rule R62: New discharges of wastewater to fresh water – non-complying activity

The discharge of **wastewater** ~~that is a new discharge~~ into fresh water that is:

- (a) an existing discharge into fresh water that does not comply with Rule R61(b), or
- (b) a new discharge into fresh water

is a non-complying activity.

Rule R79: ~~Discharge of treated wastewater~~ from an industrial or trade process – controlled activity

~~The discharge of treated wastewater onto or into land, and the associated discharge of odour is a controlled activity, provided the following conditions are met:~~

- ~~(a) the discharge is not located within a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b, or Map 27c, and~~
- ~~(b) the discharge shall contain no more than 10% trade wastes based on daily dry weather flow, averaged over a calendar year, and~~
- ~~(c) the discharge shall meet the following criteria:~~
 - ~~(i) the concentration of soluble carbonaceous five day biochemical oxygen demand shall not exceed 30mg/L in more than eight out of 12 consecutive samples, or exceed 50mg/L in more than two out of 12 consecutive samples, and~~
 - ~~(ii) the concentration of total suspended solids shall not exceed 50mg/L for more than eight out of 12 consecutive samples, or exceed 80mg/L in more than two out of 12 consecutive samples, and~~
- ~~(d) the pathogen concentration in wastewater shall have been reduced to a level commensurate with its having been treated to a tertiary level before discharge for surface application and secondary level for subsurface irrigation, and shall not exceed an *Escherichia coli* (*E.coli*) concentration of 2,000efu/100mL, and~~
- ~~(e) the application method is either a subsurface or surface drip irrigation or low pressure spray irrigation system less than or equal to 1.5m above ground surface, and~~

- ~~(f) — the hydraulic loading rate shall not exceed 5mm/hr or 15mm per application event and can only occur when **soil moisture deficit** is greater than the application event, and~~
- ~~(g) — the **distribution uniformity** of the spray irrigation system shall be greater than or equal to 80%, with drip irrigation emitters at a minimum spacing of 0.6m x 1m, and~~
- ~~(h) — the application shall not result in significant ponding (areas of ponded effluent on the ground surface greater than 10m² for a period greater than 12 hours) or runoff (visible overland flow); and~~
- ~~(i) — the nitrogen loading rate of the **wastewater** applied shall not exceed the following limits for the specified land uses:

 - ~~(i) — 150kg N/ha/year if mown without grass removal, or grazed, or~~
 - ~~(ii) — 300kg N/ha/year if cut, harvested and removed, and~~~~
- ~~(j) — the phosphorus loading rate of the **wastewater** applied shall not exceed the following limits for the specified land uses:

 - ~~(i) — 30kg P/ha/year if mown without grass removal, or grazed, or~~
 - ~~(ii) — 50kg P/ha/year if cut, harvested and removed, and~~~~
- ~~(k) — the application must be onto actively growing vegetation which is not dormant. Application shall not be onto **fallow land** or areas that have no vegetative growth, and~~
- ~~(l) — for spray irrigation, the discharge is not located within:

 - ~~(i) — 50m of a **surface water body**, coastal marine area or **property** boundary, or~~
 - ~~(ii) — 150m of any **marae**, schools, shops, playgrounds, **bore** used for water abstraction for potable supply, places of work or residential dwellings not on the application **property**; and~~~~
- ~~(m) — for surface and subsurface drip irrigation, the discharge is not located within:

 - ~~(i) — 5m of a **surface water body**, coastal marine area or **property** boundary, or~~
 - ~~(ii) — 150m of a **bore** used for water abstraction for potable supply, and~~~~
- ~~(n) — there shall be a minimum depth to groundwater of at least 1m below the point of application, and~~

- ~~(o) a **deficit irrigation** regime is used for the application of treated **wastewater** to land, and~~
- ~~(p) the application of **wastewater** to land by spray irrigation shall have automated shut off controls so that there shall be no irrigation when the wind speed 10 minute average exceeds 6m/s, and~~
- ~~(q) the normal droplet size delivered by **wastewater** irrigation shall not have a volume median diameter less than 1,700µm or an equivalent volume mean diameter, and~~
- ~~(r) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.~~

Matters of control

1. ~~Provision of a Site Investigation and Design Report, which shall include as a minimum:~~

- ~~(i) the suitability of the soil to receive treated **wastewater**~~
- ~~(ii) how the discharge system is designed based on the soil characteristics to mitigate adverse effects on soils, ground and surface water~~
- ~~(iii) soil **saturated hydraulic conductivity** is shown to be greater than 10mm/hr~~
- ~~(iv) soil water holding capacity is shown to be greater than 30mm~~
- ~~(v) a map showing soil unit boundaries, soil textural and structural changes, and **high risk soils**~~
- ~~(vi) details of existing soil concentrations of nutrients and metals and an assessment of the potential cumulative effects of the proposed **wastewater** application including the addition of any other wastes or **fertilisers**~~

2. ~~Provision of an Operation and Management Plan, which shall include as a minimum:~~

- ~~(i) a description of the discharge system, including a site map indicating the location of discharge infrastructure and monitoring sites~~
- ~~(ii) the intended operating and maintenance procedures, including how the system will be operated and maintained to meet the requirements of the conditions of the activity~~
- ~~(iii) measures to ensure that the **wastewater** being discharged is not odorous~~

- ~~(iv) on site responsibilities, including operation of the discharge facility, operation of the soil moisture monitoring or balance system, operation during high winds~~
 - ~~(v) key operational matters, including daily, weekly and monthly maintenance checks and keeping of a maintenance register to record the details of all maintenance events or any systems malfunction~~
 - ~~(vi) details of signage warning of the public health risk of coming into contact with **wastewater**, particularly in publically accessible areas or where the application site borders a publically accessible area~~
 - ~~(vii) details of site induction procedures to warn any person that may come into contact with the **wastewater** about the potential risks of doing so~~
 - ~~(viii) a contingency plan in the event of system malfunctions or breakdowns showing how adverse environmental and public health effects will be avoided~~
 - ~~(ix) how changes in **wastewater** composition and volume are to be managed~~
 - ~~(x) procedures for recording and responding to any complaints~~
 - ~~(xi) procedures for the annual review of the Operation and Management Plan to incorporate any proposed changes to the management of the activities~~
- ~~3. Provision of a Monitoring and Reporting Plan, which shall include as a minimum monitoring procedures covering all aspects of the activity to demonstrate compliance with the conditions, including:~~
- ~~(i) monitoring of the discharged **wastewater** quality for biological oxygen demand (five day), total suspended solids, total nitrogen, total phosphorus and *E. coli*~~
 - ~~(ii) continuous flow monitoring of the discharged **wastewater**~~
 - ~~(iii) soil moisture monitoring (if used rather than a daily water balance)~~
 - ~~(iv) the intended programme for soil quality, chemical, hydraulic and structural monitoring, vegetation assessment, surface water quality monitoring, groundwater quality monitoring~~
 - ~~(v) details of surface and groundwater monitoring to be undertaken~~

- ~~(vi) record keeping of the land application area used each day, application depth, managing a **deficit irrigation** system and climatic conditions~~
- ~~(vii) records of land management, including grazing and harvesting frequency, including dry matter and nutrient removal where appropriate~~
- ~~(viii) the location of monitoring sites detailed on site maps~~
- ~~(ix) details of the frequency of sampling and reporting~~
- ~~(x) measures to ensure reporting requirements are met~~
- ~~(xi) a record of all complaints received~~
- ~~(xii) a record of infrastructure modifications~~
- ~~(xiii) details of who will undertake the monitoring and procedures to be used~~

~~4. Review of the conditions of consent, in accordance with Section 128 of the RMA, including for the purposes of assessing whether any **emerging contaminants** should be monitored in the soil, herbage or groundwater, taking into consideration the degree of certainty about the fate and risk to the environment from these contaminants.~~

Notification

~~In respect of Rule R79, applications are precluded from public notification (unless special circumstances exist).~~

Note

~~Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.~~

The discharge of **wastewater** or **sludge** from an industrial or trade process, excluding **wastewater** or **sludge** from a **wastewater network**, onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air, is a controlled activity, provided the following conditions are met:

- (a) the volume of the discharge does not exceed 20m³ per day, and
- (b) the discharge is not of **hazardous waste**, or contains:
 - (i) a **hazardous substance**,
 - (ii) a substance likely to cause infectious disease in humans or other animals, or
 - (iii) human sewage, and

- (c) the discharge is not:
 - (i) directly to fresh or coastal water, or within 20m of a surface water body, a bore, the coastal marine area, or the property boundary, and
 - (ii) within a Community Drinking Water Protection Area set out in Map 26; Map 27a, Map 27b or Map 27c, and
 - (iii) onto or into land with high risk soils, and
 - (iv) onto or into SLUR Category III land.

Matters of control

1. Location, design and management of the discharge system
2. Effects on quality of soils, groundwater, surface water and air
3. Impacts on **mana whenua** cultural values and sites of significance
4. Discharge rates and volume, including in relation to the infiltration rate and water storage capacity of the soil
5. Contaminant loading rates on land
6. Design, volume, construction and maintenance of the **wastewater** collection (including **stormwater** collection) and storage system
7. **Wastewater** storage volume to allow for the deferred discharge during periods of prolonged wet weather
8. Procedures for desludging the system and applying **sludge** to land
9. Odour mitigation methods
10. Contingency plans for prolonged wet weather, mechanical failure or other emergencies
11. Monitoring and reporting

Rule R80: Discharge of treated wastewater from a wastewater network – restricted discretionary activity 

The discharge of treated **wastewater** from a **wastewater network** onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air ~~that does not meet the conditions of Rule R79~~ is a restricted discretionary activity. ~~provided the following conditions are met:~~

- (a) ~~the application method is either a subsurface or surface drip irrigation or low pressure spray irrigation system, less than or equal to 1.5m above ground surface, and~~

- ~~(b) the application must be onto **actively growing vegetation**. Application shall not be onto **fallow land** or areas that have no vegetative growth, and~~
- ~~(c) a **deficit irrigation** regime is used for the application of treated **wastewater** to land, and~~
- ~~(d) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.~~

Matters for discretion

1. Effects on groundwater and surface water quality, including community drinking water supply water quality
2. Effects on domestic and **group drinking water supplies**
3. The proportion of trade waste the discharge contains
4. The quality of the discharge, including limits on:
 - (i) biological oxygen demand (five day), and
 - (ii) total suspended solids, and
 - (iii) *Escherichia coli* (*E.coli*)
5. Wastewater discharge method, Hydraulic loading rate, discharge depth and hydraulic conductivity
- ~~6. **Distribution uniformity**~~
- ~~7. Nitrogen and phosphorus loading rates~~
- ~~8. Set back distances from waterbodies, the coastal marine area, water supply bores, **property** boundaries and other sensitive environments~~
- ~~9. Depth to ground water below the point of irrigation~~
- ~~10. Measures to minimise spray drift to prevent impacts on human or animal health, or offensive and objectionable odours beyond the boundary of the property~~
- ~~11. Suitability of the soil to receive treated **wastewater** and management of the land discharge area~~
- ~~12. Design of the discharge system based on the soil characteristics~~
- ~~13. **Soil saturated hydraulic conductivity**~~
- ~~14. Soil water holding capacity~~
- ~~15. Mapping of soil unit boundaries, soil textural and structural changes, and **high risk soils**~~

- ~~16~~14. Details of existing soil concentrations of nutrients and metals and an assessment of the potential cumulative effects of the proposed **wastewater application-discharge** including the addition of any other wastes or **fertilisers**
- ~~17~~15. Provision of an Operation and Management Plan
- ~~18~~16. Provision of a Monitoring and Reporting Plan
- ~~19~~17. Measures for monitoring **emerging contaminants**
- 18. Effects on **mana whenua** cultural values and sites of significance identified in Schedule A (outstanding water bodies), Schedule B (Nga Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity).

Notification

In respect of Rule R80, applications are precluded from public notification (unless special circumstances exist); except that the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on **ngā huanga o Ngā Taonga Nui a Kiwa** or on the significant values of a Schedule C site which is located downstream.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

5.2.7 Drinking water treatment plant waste

Rule R81: Drinking water treatment plant supernatant waste – controlled activity



The discharge of supernatant from a drinking water treatment plant onto or into land where a contaminant may enter water, is a controlled activity, provided the following conditions are met:

- (a) the discharge is not located within 20m of a **surface water body**, the coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (b) the base of the disposal area shall be 0.6m above the seasonally highest water table.

Matters of control

1. Effects on groundwater and **surface water bodies**
2. Discharge rate(s) of the supernatant

Notification

In respect of Rule R81, applications are precluded from public notification (unless special circumstances exist).

5.2.8 Biosolids

Rule R77: ~~Application-Discharge~~ of Aa biosolids to land – permitted activity

The discharge of ~~Aa grade~~ biosolids onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air is a permitted activity, provided the following conditions are met:

- (a) the biosolids ~~carry the registered Biosolids Quality Mark (BQM) accreditation, and comply as Grade Aa in the Guidelines for the Safe Application of Biosolids to land in New Zealand 2003;~~
- (b) biosolids ~~application-discharge~~ rates shall not exceed a three-year average of 200kg total N/ha/year, or 600kg N/ha/year with no repeat within three years, and
- (c) soil pH where the biosolids are discharged is not less than pH 5.5, and
- (d) the discharge is not located within 20m of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (e) the discharge is not located within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Rule R78: ~~Application-Discharge~~ of biosolids (~~Ab, Ba, or Bb~~) to land – restricted discretionary activity



The discharge of ~~Ab, Ba or Bb grade~~ biosolids onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air is a restricted discretionary activity, provided the following conditions are met:

- (a) the biosolids comply as Grade Ab, Ba or Bb under the Guidelines for the Safe Application of Biosolids to Land in New Zealand 2003, and
- ~~(b)(a)~~—the discharge is not located within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- ~~(c)(b)~~—the discharge shall not result in the creation of **contaminated land** contaminated land.

Matters for discretion

1. ~~Application-Discharge~~ rate, volume and location including in relation to:
 - (i) presence of subsurface drainage

- (ii) nutrient capacity of the soil
- 2. Effects on soil health
- 3. Storage period and volume for deferred ~~application~~ discharge during periods of prolonged wet weather
- 4. Effects on groundwater quality
- 5. Set back distances from **surface water bodies**, coastal marine area, and water supply **bores**
- 6. Discharge of odour
- 7. Methods for the incorporation of **biosolids** into soil
- 8. Effects on soil pH
- 9. Nitrogen loading rate

Notification

In respect of Rule R78 applications are precluded from public notification (unless special circumstances exist).

5.2.9 Fertiliser and animal effluent

Rule R82: ~~Application~~ Discharge of fertiliser from ground-based or aerial ~~applications~~ discharge – permitted activity

The discharge of **fertiliser** onto or into land where a contaminant may enter water, or into air is a permitted activity, provided the following conditions are met:

- (a) the discharge from ground-based application is not directly onto or into a **surface water body** ~~or beyond the boundary of the property including as a result of wind drift~~, and
- (b) the discharge from aerial application is not directly onto or into a surface water body that is more than 2m wide, and
- ~~(b)~~(c) the discharge ~~of odour is not~~ does not cause an offensive or objectionable effect beyond the boundary of the **property**, and
- ~~(e)~~(d) the discharge is in accordance with the Fertiliser Quality Control Council’s Code of Practice for the Placement of Fertiliser in New Zealand 2018, and for aerial discharges, the pilot shall record details of the following:
 - ~~(i)~~ locations of the discharge site, and
 - ~~(ii)~~ date of the discharge, and
 - ~~(iii)~~ type of fertiliser applied, and

- ~~(iv) — daily flight logs, and~~
 - ~~(v) — verification of tracks flown, and~~
 - ~~(vi) — weather conditions at the time of discharge, and~~
 - ~~(vii) — a copy of the flight log is held by the operator and made available to the Wellington Regional Council upon request.~~
- (e) the discharge by a non-commercial operator using groundspreading equipment, is in accordance with the Fertiliser Association of New Zealand's Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) 2013.

Rule R83: Discharge of collected animal effluent onto or into land – controlled activity

The discharge of collected **animal effluent**, including **sludge**, onto or into land where a contaminant may enter water, and the associated discharge of odour to air from:

- (a) dairy farms,
- (b) piggeries,
- (c) poultry farms,
- (d) other premises involving the concentration of animals in a confined area

is a controlled activity, provided the following conditions are met:

- (e) the discharge is not located within:
 - (i) 20m of a **surface water body**, the coastal marine area, or **bore** used for water abstraction for potable supply, or
 - (ii) 20m of the boundary of the **property**, unless the agreement of the adjacent landowner is obtained, or
 - (iii) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, and
- ~~(f) — the discharge shall not pond on the surface of the ground or runoff from the discharge area, and~~
- ~~(f)(g) — the **animal effluent** collection, storage and treatment facilities (including, sumps and ponds) are sealed. The permeability of the sealing layer shall not exceed 1×10^{-9} m/s, and~~
- ~~(g)(h) — the capacity of the **animal effluent** storage and treatment facilities (including sumps and ponds) shall be sufficient to provide for deferred irrigation when the **field capacity** of the soil is exceeded, and~~

- (h)(+) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Matters of control

1. Effluent ~~application-discharge~~ rates and volume, including in relation to the infiltration rate and water storage capacity of the soil
2. Maximum ~~herd size for the property~~ effluent volume
3. Nutrient loading rates
4. Design, volume, construction and maintenance of the collection (including **stormwater** collection), storage and discharge system
5. Effluent storage volume to allow for the deferred irrigation during periods of prolonged wet weather
6. Procedures for desludging the system and applying **sludge** to land
7. Odour mitigation methods
8. Contingency plans for prolonged wet weather, mechanical failure or other emergencies
9. Measures to avoid adverse effects on **mana whenua** values or sites of significance
10. Effects on groundwater and surface water quality

Notification

In respect of Rule R83, applications are precluded from public notification (unless special circumstances exist).

Rule R84: Discharge of collected animal effluent to water – non-complying activity



The discharge of collected **animal effluent** into water is a non-complying activity.

5.2.10 Compost, solid animal waste, Refuse, silage and refuse compost

Rule R85: ~~Application-Discharge~~ of compost or solid animal waste to land – permitted activity

The discharge of **compost or solid animal waste** onto or into land, where a contaminant may enter water, and the associated discharge of odour to air, is a permitted activity provided the following conditions are met:

- (a) the discharge is not located within 5m of a **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply, and

- (b) ~~contaminants in~~ the discharge shall not enter a surface water body pond on the surface of the ground or run off from the discharge area, and
- (c) nitrogen loading on the discharge area ~~from all sources~~ the discharge is less than 150kg N/ha/year, and
- (d) the compost or solid animal waste shall be spread evenly on the land, and there shall be no subsequent discharge event until compost or solid animal waste from a previous discharge event is not visible in the land surface, and
- ~~(d)~~(e) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

The manufacture and storage of **compost** is controlled by Rule R90.

Rule R86: ~~Application-Discharge~~ of compost or solid animal waste to land – restricted discretionary activity



The ~~application-discharge~~ of **compost or solid animal waste** onto or into land, where a contaminant may enter water, and the associated discharge of odour ~~into~~ air that is not permitted by Rule R85 is a restricted discretionary activity.

Matters for discretion

1. Set-back distances from any **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply
2. Discharges to water-logged or flooded land
3. ~~Nitrogen loading rates~~ Effects on water quality
4. Discharge of odour

Rule R90: Manufacture and storage of silage and compost, and storage of solid animal waste – permitted activity

The discharge of contaminants onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air, from the manufacture and storage of **silage or compost, or storage of solid animal waste** is a permitted activity, provided the following conditions are met:

- (a) the manufacture and storage area shall not be located within 20m of a **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply, and
- (b) the discharge does not contain:
 - (i) **hazardous substances**, or

- (ii) **wastewater**, sludge and other human sewage material, industrial waste, offal or dead animal matter, and
- (c) there shall be no discharge of leachate to water from a manufacturing or storage area, and
- (d) **stormwater** is prevented from entering into the manufacturing or storage area, and
- ~~(d)~~(e) the walls and floor of a permanent pit or bunker for the storage of silage or solid animal waste storage area shall have an impermeable lining able to withstand corrosion, and
- (f) the base of a silage stack storage area shall be constructed of compacted clay or compacted hardfill to minimise seepage of contaminants into land, and the base of the storage area shall be located at least 0.6m above the seasonally highest water table at the site, and
- (g) the manufacture and storage of **compost** at an industrial or trade premise shall be undertaken on an impermeable surface, and
- ~~(e)~~(h) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Note

Permission may be required from the relevant city or district council in respect of other legislation or bylaws.

The discharge of **compost** to land is controlled by Rules R85 and R86.

Rule R89: Farm refuse dumps – permitted activity

The discharge of contaminants onto or into land, or into land where a contaminant may enter water, and the associated discharge of odour to air, from a new **farm refuse dump** is a permitted activity, provided the following conditions are met:

- (a) the contents of the **farm refuse dump** is from the **property** where the farm dump is located, and
- (b) the total volume of a **farm refuse dump** capacity available on a property at any time shall not exceed 50m³, and
- (c) the **farm refuse dump** is located:
 - (i) on a **property** that is over 20ha, or
 - (ii) in a hole excavated in silty or clay soils, or
 - (iii) where no kerbside community collection is available or the **property** is located more than 20km by road from a transfer station, and

- (d) the **farm refuse dump** is not located within:
 - (i) an area prone to flooding or ponding, or
 - (ii) 50m of a **surface water body**, coastal marine area, **gully**, **gully**, **bore** used for water abstraction for potable supply, or boundary of the **property**, or
 - (iii) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- (e) the base of the **farm refuse dump** is 0.6m above the seasonally highest water table, and
- (f) the discharge does not contain:
 - (i) **hazardous substances**, or
 - (ii) **wastewater**, ~~offal or dead animal matter~~, and
- (g) there is no burning of the contents of a **farm refuse dump**, and
- (h) the size and location is recorded, using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information made available to the Wellington Regional Council upon request, and
- (i) the **farm refuse dump** is re-contoured and re-vegetated to a condition that is compatible with the surrounding land within six months of completion, and
- (j) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Rule R91: Offal pit – permitted activity

The discharge of contaminants onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air, from a new **offal pit** is a permitted activity, provided that the following conditions are met:

- (a) the **offal pit** shall only contain dead animal matter from the **property** where the **offal pit** is located, and
- (b) the **offal pit** shall not be located within:
 - (i) 50m of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
 - (ii) an area prone to flooding or ponding, and
- (c) the **offal pit** shall be located in silty or clay soils, and

- (d) the bottom of the **offal pit** is 0.6m above the seasonally highest water table, and
- (e) **stormwater** is prevented from entering the **offal pit**, and
- (f) the location is recorded, by GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and
- (g) the **offal pit** is re-contoured and re-vegetated to a condition that is compatible with the surrounding land within six months of completion, and
- (h) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, and
- (i) the **offal pit** is not located in a **community water drinking water protection area** as shown on Map 26, Map 27, Map 27b, and Map 27c.

5.2.11 Cleanfill material

Rule R70: Cleanfill material – permitted activity

The discharge of **cleanfill material** onto or into land, or onto or into land where a contaminant may enter water, is a permitted activity, provided the following conditions are met:

- (a) the **cleanfill material** is not located within 20m of a **surface water body**, or **bore** used for water abstraction for potable supply, and
- (b) the **cleanfill material** is located to avoid being undermined or eroded by **natural processes** or being inundated from coastal or river flooding, and
- (c)(d) the **cleanfill material** shall be 0.6m above the seasonally highest water table, and
- (d)(e) the **cleanfill material** shall be managed (siting, design and operation) in accordance with Sections 5-8 in *A Guide to the Management of Cleanfills (2002)*, and
- (e)(f) the volume of **cleanfill material** deposited at a **property** shall not exceed 400m³ +100m³; per 12 month period, and
- (f)(g) the volume and origin of the **cleanfill material** and the date the material has been deposited on this **property**, is recorded using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and
- (g)(h) the **cleanfill material** shall be **stabilised** and re-vegetated within six months of completion of the activity.

Note

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

Rule R27 is applicable for the associated discharge to air from cleanfill material.

5.2.12 Contaminated land and hazardous substances

Rule R54: Detailed Site investigation – permitted activity

The use of land to undertake a detailed site investigation of assess the concentration of hazardous substances that may be present in the soil contaminated land and any associated discharge into air is a permitted activity, provided the following conditions are met:

- (a) the assessment investigation is undertaken in accordance with *Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011)*, and
- (b) the assessment investigation is reported in accordance with the *Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011)*, and
- (c) a copy of the report is provided to the Wellington Regional Council within two months after following the completion of the assessment investigation.

Rule R55: Discharges from contaminated land – permitted activity

The discharge of a contaminants from contaminated land onto or into land from contaminated land where a contaminant the discharge may enter water is a permitted activity provided the following conditions are met:

- (a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and a detailed site investigation has been undertaken, reported and provided to Wellington Regional Council in accordance with Rule R54, and
- (b) the site investigation report concludes that: the discharge is highly unlikely to be a risk to human health or the environment at present or in the future, or
 - (i) the concentration of contaminants in groundwater meets the *Drinking Water Standards New Zealand 2005 (Revised 2008)* for potable water for 90% of species, and
 - (ii) the concentration of contaminants in groundwater, at the **property** boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the *Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and*

~~Marine Water Quality (2000) for the protection of 95% of species.~~

- (c) the discharge from **SLUR Category III land** does not, or is not likely to, result in:
- (i) groundwater quality exceeding the maximum acceptable value in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)*:
1. at the **property** boundary, or within 50m from the source of the discharge, whichever is the lesser distance; or
 2. in an existing **bore** within the **property** boundary or within 50m from the source of the discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring,
- (ii) water quality in a **surface water body** within the **property** boundary or within 50m from the source of the discharge, whichever is the lesser distance, exceeding the *Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000)* for the protection of 95% of species,
- (d) the water quality exceeding 50% of the maximum acceptable value in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)* where the **SLUR Category III land** is located within a **community drinking water supply protection area** shown on Maps 26, 27a, 27b, or 27c.

Rule R56: Investigation of, or ~~D~~discharges from contaminated land – discretionary activity

The use ~~the~~ of land to undertake a detailed site investigation of contaminated land, ~~and or the~~ discharge of a contaminants ~~onto or into land~~ from ~~contaminated land~~ **SLUR Category III land** where ~~the~~ discharge a contaminant may enter water, that is not permitted by Rule R54 or Rule R55 is a discretionary activity.

Rule R57: Discharge of hazardous substances – non-complying activity



The discharge of a **hazardous substance** into water, ~~or~~ or onto land or into or onto land where it may enter water, that is not ~~permitted by Rule R36, Rule R37, Rule R42, Rule R46 and Rule R87 or controlled under Rule R47 and Rule R87 or Rule R88 or discretionary under Rule R38 and Rule R93~~ provided for as a permitted, controlled, restricted discretionary or discretionary activity is a non-complying activity.

5.2.13 Vertebrate toxic agents

Rule R87: Land-based discharge of vertebrate toxic agents – permitted activity

The discharge of **vertebrate toxic agents** onto or into land, or onto or into land where a contaminant may enter water, via land-based methods is a permitted activity, provided the following conditions are met:

- (a) the substance and application discharge technique or method is approved for use by the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all controls of the approval, and
- (b) the discharge is not located within 20m of a **bore** used for water abstraction for potable supply, and
- (c) where the **vertebrate toxic agent** is applied to public land, signs shall be placed for the duration of any residual effects of the pesticide at all public lines of approach to the discharge area. The signs shall identify the pesticide(s) applied, the date of application–discharge and the precautions, if any, that people using the area should take.

Note

This rule does not apply to any vertebrate toxic agent that is exempt from section 15 of the RMA under the Resource Management (Exemption) Regulations 2017.

Rule R88: Aerial application–discharge of vertebrate toxic agents – controlled activity

The discharge of a **vertebrate toxic agent** onto or into land and where it may enter water, and the associated discharge into water, by aerial application discharge is a controlled activity, provided the following conditions are met:

- (a) the substance and the application–discharge technique or method is approved for use under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all controls of the approval, and
- (b) the discharge is not onto a roof or other structure used to collect drinking water.

Matters of control

1. Advice and information to people and authorities in and adjacent to the application–discharge area, including flight paths and accidental discharge into water
2. Application–Discharge methods, systems and management processes to prevent fugitive discharges and the recording of application discharge areas
3. Navigational guidance systems

Notification

In respect of Rule R88, applications are precluded from public notification (unless special circumstances exist).

Note

The rule does not apply to any vertebrate toxic agent that is exempt from section 15 of the RMA under the Resource Management (Exemption) Regulations 2017.

5.2.14 Wastewater from ships and offshore installations, and Biofoul cleaning

Rule R63: Wastewater from ships and offshore installations – permitted activity

The discharge of **wastewater** into coastal water from a ship greater than 500 tonnes, or an offshore installation outside the **harbour and pilotage limit** as shown on Map 49 is a permitted activity.

Note

Also see the requirements of the Resource Management (Marine Pollution) Regulations 1998 in sections 11, 12 and 12A in relation to the discharge of wastewater from ships and offshore installations into coastal water.

Rule R64: Wastewater from ships and offshore installations ~~not~~ non-complying activity

The discharge of **wastewater** into coastal water from a ship greater than 500 tonnes, or an offshore installation, inside the **harbour and pilotage limit** shown on Map 49, and not controlled by sections 12 or 12A of the Resource Management (Marine Pollution) Regulations 1998, is a non-complying activity.

Rule R65: In-water biofoul cleaning – permitted activity

The discharge of contaminants and biological material (including process water to which no contaminants have been added and which has been UV treated or filtered to 50 microns maximum) into coastal water from **in-water cleaning of biofouling** from a vessel, moveable structure or navigation aid, ~~three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~ in the coastal marine area, is a permitted activity provided the following conditions are met:

- (a) the **anti-foul coating** on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and
- (b) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and
- (c) the cleaning of microfouling and goose barnacles ~~of international origin shall~~ may be removed occur using a gentle, non-abrasive cleaning technique without capture, and

- (d) for macrofouling less than or equal to 2 on the Level of Fouling Rank the cleaning ~~or treatment method~~ shall ensure minimal release, using best available technology, capture any biological material ~~released into the water column~~ greater than 50µm in diameter, with any captured cleaning debris disposed ~~ofn~~ at an approved landfill, and
- ~~(e) any captured cleaning debris is appropriately disposed of, and~~
- (e) for macrofouling not within (d) the cleaning shall capture any biological material greater than 50µm in diameter, with any captured cleaning debris disposed of at an approved landfill, and
- (f) if any person suspects that ~~suspected~~ harmful or unusual aquatic species (including species designated as unwanted organisms or pests under the Biosecurity Act 1993) are to be found, ~~the vessel owner or operator that person~~ shall take the following steps:
- (i) any cleaning activities commenced shall cease immediately, and
 - (ii) the Wellington Regional Council Harbourmaster and the Ministry of Primary Industries shall be notified within five working days without unreasonable delay, and
 - (iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.

Notes

1. For the purposes of Rule R65 any terms not defined in Section 2 of the Natural Resources Plan, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.
2. International vessels arriving in New Zealand waters will have additional obligations under the Craft Risk Management Standard: *Biofouling on Vessels Arriving to New Zealand (May 2014)*.

Rule R66: In-water biofoul cleaning – discretionary activity

The discharge of contaminants and biological material into coastal water from **in-water cleaning** of **biofouling** from a vessel, moveable structure or navigation aid that is not permitted by Rule R65 is a discretionary activity.

Note

For the purposes of Rule R66, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

5.2.15 All other discharges

Rule R42: Minor discharges – permitted activity

The discharge of a contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited specifically provided for by any

other rule in this Plan is a permitted activity provided the following conditions are met:

- (a) the contaminant is not a hazardous substance
- ~~(a)~~(b) where the discharge is onto or into land where it may enter groundwater,
 - (i) the discharge is not located within ~~50m~~ 20m of a bore used for water abstraction for potable supply or stock water, and
 - (ii) where the discharge is a point source discharge, the discharge shall not cause an adverse effect beyond the boundary of the property, and
- ~~(b)~~(c) where the discharge may enters a **surface water body** or coastal water,
 - (i) the concentration of total suspended solids in the discharge shall not exceed:
 - ~~(i)~~ 1. 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites) or Schedule H1 (contact recreation), except when the background total suspended solids concentration in the receiving water is greater than 50g/m³ in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or
 - ~~(ii)~~ 2. 100g/m³ where the discharge enters any other water, except when the background total suspended solids concentration in the receiving water is greater than 100g/m³ in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and
 - ~~(c)~~ if the discharge is from dewatering, the discharge is not from contaminated land, and
 - ~~(d)~~ (ii) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
 - ~~(e)~~ (iii) the discharge shall not give rise to the following effects after the zone of reasonable mixing:
 - ~~(i)~~ 1. a change in the pH of ±0.5pH unit, or

- (ii) ~~2.~~ the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
- (iii) ~~3.~~ any conspicuous change in the colour or visual clarity, or
- (iv) ~~4.~~ any emission of objectionable odour, or
- (v) ~~5.~~ the fresh water is unsuitable for consumption by farm animals, or
- (vi) ~~6.~~ any significant adverse effects on aquatic life.

Note

~~Discharges related to **pumping tests** are provided for under Rule R139.~~

~~Rule R69: Minor contaminants – permitted activity~~ 

~~The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:~~

- ~~(a) the contaminant shall not enter water, and~~
- ~~(b) the contaminant shall not cause an adverse effect beyond the boundary of the **property**, and~~
- ~~(c) the contaminant is not a **hazardous substance**.~~

~~Rule R92: All Discharges to land from a new pit latrine, a new farm refuse dump, a new ofal pit, or of collected animal effluent within a community drinking water supply protection areas - restricted discretionary activity~~

~~The discharge of a contaminant from a new pit latrine, a new farm refuse dump, or a new ofal pit, or of collected animal effluent, onto or into land where a contaminant may enter water, that occurs within a **community drinking water supply protection area**, ~~and is not a permitted activity under Rules R71, R75, R77, R78 or R89 or R91~~ is a restricted discretionary activity provided the following conditions are met:~~

- (a) any new pit latrine must meet the conditions of Rule R71, except condition (a)(ii)
- ~~(b) any new or upgraded on-site wastewater systems must meet the conditions of Rule R75, except condition (e)(iv)~~
- ~~(c) any application of Aa biosolids to land must meet the conditions of Rule R77, except condition (e)~~
- ~~(d) any application of biosolids (Ab, Ba, or Bb) to land, must meet the conditions of Rule R78, except condition (a)~~
- (e)(b) any discharge of contaminants from a new **farm refuse dump** must meet the conditions of Rule R89, except condition (d)(iii)

- (c) any new **offal pit** must meet the conditions of Rule R91, except condition (i)
- (d) a discharge of collected **animal effluent** must meet the conditions of Rule R83, except condition (e)(iii).

Matters for discretion

1. Effects on water quality including **community drinking water supply** water quality

Rule R67: All other ~~Discharges inside to~~ sites of significance – non-complying activity



The discharge of water or contaminants into water, or onto or into land where it may enter water:

- (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), ~~or~~ Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and
- (b) that is not permitted by Rules R42, R43, R44 or R45 a permitted, controlled, restricted discretionary, or discretionary activity under any rule in the Plan, or a non-complying activity under Rules R62, R84, R57 or R64

is a non-complying activity.

Rule R68: All other discharges – discretionary activity



The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:

- (a) ~~permitted by Rules R42, R43, R44 or R45, and~~
- (b) ~~is not provided for by Rule R67 or any other rule in this Plan~~
- (a) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and
- (b) a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a discretionary activity under Rules R53, R58, R60, R61, R56 or R66,

is a discretionary activity.

~~Rule R93: All other discharges to land – discretionary activity~~



~~The discharge of contaminants onto or into land that are not permitted, controlled, restricted discretionary, or non-complying is a discretionary activity.~~

5.4 Land use

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. ~~This does not apply w~~Where a proposal includes a number of activities which trigger separate specific rules. ~~In that case,~~ all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon .

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Land use	Page	P	C	RD	D	NC	Pr
Cultivation and break-feeding	454 182						
Rule R94: Cultivation or tilling of land	454 182	•					
Rule R95: Break-feeding	454 183	•					
Rule R96: Cultivation and break-feeding	454 183				•		
Livestock exclusion	454 183						
Rule R97: Access to the beds of surface water bodies by livestock <u>Livestock access to a surface water body or the coastal marine area</u>	454 185	•					
Rule R98 Livestock access to the beds of a surface water body <u>ies or the coastal marine area (excluding any Category 1 surface water body)</u>	453 186				•		

Rules – Land use	Page	P	C	RD	D	NC	Pr
Rule R98A: Livestock access to any Category 1 surface water body – non complying	186					●	
Earthworks and vegetation clearance	453 186						
Rule R99: Earthworks	453 186	●					
Rule R100: Vegetation clearance on erosion prone land	453 187	●					
Rule R101: Earthworks and vegetation clearance	454 188				●		
Plantation forestry	454 188						
Rule R102: Plantation forestry harvesting on erosion prone land	454 188	●					
Rule R103: Plantation forestry harvesting	455 189		●				

5.4.1 Land use other methods

The Wellington Regional Council will promote sustainable land and water management through Methods M1, M2, M7, M8, M9, M10, M11, M12, M14, M17, M19, M20, M25, M26, M27 and M28.

5.4.2 Cultivation and break-feeding

Rule R94: Cultivation ~~or tilling~~ of land – permitted activity

The use of land for **cultivation** and the associated discharge of a contaminant into water or onto land where a contaminant may enter water, is a permitted activity, provided the following conditions are met:

- (a) **cultivation** on land with slope of more than 3 degrees shall not occur within 5m of the bed of a surface water body or the coastal marine area, and or
- (b) cultivation on land with slope of 3 degrees or less shall not occur within 2m of the bed of a surface water body or the coastal marine area, and the land between the cultivated land and the bed of a surface water body or the coastal marine area shall be in pasture or other groundcover vegetation throughout the period of cultivation; and
- ~~(b)~~(c) **cultivation** is undertaken along the contour of the land, where reasonably practicable, and
- ~~(e)~~(d) sediment laden any discharge surface water resulting from land subject to cultivation does not flow to a surface water body. shall not, outside the zone of reasonable mixing in a surface water body or the coastal marine area, result in any of the following effects in receiving waters;
 - (i) a conspicuous change in colour or visual clarity;
 - (ii) the rendering of fresh water unsuitable for consumption by animals;

(iii) any significant adverse effect on aquatic life.

Rule R95: Break-feeding – permitted activity

The use of land for **break-feeding** and the associated discharge of a contaminant into water or onto land where a contaminant may enter water, is a permitted activity, provided the following conditions are met:

- (a) **break-feeding** on land with slope of more than 3 degrees shall not ~~occur~~ be within 5m of the bed of a surface water body or the coastal marine area, and
- (b) **break-feeding** on land with slope of 3 degrees or less shall not be within 2m of the bed of a surface water body or the coastal marine area, and the land between the land used for break-feeding and the bed of a surface water body or the coastal marine area shall be in pasture or other groundcover vegetation, and not be grazed or cultivated throughout the period that the land adjacent is used for break-feeding, and
- ~~(b)~~(c) sediment laden any discharge to a surface water body surface water resulting from land used for break-feeding does not flow to a surface water body. shall not, outside of the zone of reasonable mixing in a surface water body or the coastal marine area, result in any of the following effects in receiving waters:
 - (i) a conspicuous change in colour or visual clarity;
 - (ii) the rendering of fresh water unsuitable for consumption by animals;
 - (iii) any significant adverse effect on aquatic life.

Rule R96: Cultivation and break-feeding – discretionary activity



The use of land for **cultivation** ~~and~~ or break-feeding and the associated discharge of a contaminant into water or onto land where a contaminant may enter water, that is not permitted by Rule R94 or Rule R95 is a discretionary activity.

5.4.3 Livestock ~~exclusion~~ access

~~Rule R97: Access to the beds of surface water bodies by livestock – permitted activity~~



~~The use of land for access by livestock to the bed, including banks, and the disturbance of the bed and banks and the discharge of associated sediment and exereta to a surface water body is a permitted activity, provided the following conditions are met:~~

- ~~(a) the access does not result in significant pugging of the bed (including the banks) of a lake or river other than at a stock crossing point, and~~

- ~~(b) the access does not cause a conspicuous change in colour or visual clarity within a site with significant **mana whenua** values identified in Schedule C (mana whenua), and~~
- ~~(c) the access does not cause a conspicuous change in colour or visual clarity beyond the **zone of reasonable mixing** in all other locations, and~~
- ~~(d) from seven years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), access by cattle (including **dairy cows**), farmed deer and farmed pigs within **Category 2 surface water bodies**, and **dairy cows** within rivers that have an active bed width of 1m or wider can occur where:

 - ~~(i) there is no flowing or ponded water within the bed at the time and location of the access, and~~
 - ~~(ii) other than at a **stock crossing point** the access does not result in significant pugging of the bed (including the banks) of a lake or river,~~

~~or~~

 - ~~(iii) there is flowing or ponded water within the bed, and the access is only for the purpose of crossing at a **stock crossing point**, and~~
 - ~~(iv) the **stock crossing point** is associated with a maintained access track, and~~
 - ~~(v) the access for the purpose of crossing at a **stock crossing point** occurs no more than twice in any month, and~~
 - ~~(vi) the **livestock** are actively crossing,~~

~~and~~~~
- ~~(e) from three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015):

 - ~~(i) within a **significant natural wetland** listed in Schedule F3 (significant wetlands) **livestock** access is limited to sheep, and~~
 - ~~(ii) with the exception of (vii) above, there is no **livestock** access within **Category 1 surface water bodies**.~~~~

Note

Fencing is one method of managing **livestock** access and fencing can be either permanent or temporary as long as it achieves the conditions of the rule.

Rule R97: Livestock access to a surface water body or the coastal marine area – permitted activity



Livestock access to a **surface water body** or the coastal marine area, and any associated discharge to water, is a permitted activity provided the following conditions are met:

(a) From 31 July 2019, there shall be no **livestock** access to a **Category 1 surface water body**, except that sheep may have access to a **significant natural wetland** listed in Schedule F3 (significant wetlands).

(b) From 31 July 2022, access by:

(i) **livestock** to a **Category 2 surface water body**, ~~or~~ and

(ii) **dairy cows** to a river that is not a **Category 1 or Category 2 surface water body** and has an **active bed** width of 1 metre or wider,

may occur provided:

a. there is no surface water present at the time and location of the access; or

b. if there is surface water present, the access is only at a **stock crossing point** that complies with condition (d).

(c) At all times, **livestock** access to a **surface water body** or the coastal marine area shall not result in:

(i) a conspicuous change in colour or visual clarity of water;

a. in a site with significant **mana whenua** values identified in Schedule C (mana whenua); or

b. in a **natural wetland**, lake, estuary or the coastal marine area; or

c. beyond the **zone of reasonable mixing** in a river; or

(ii) pugging or de-vegetation that exposes bare earth; or

(iii) cattle, farmed deer or farmed pigs being left unattended in, or not being actively moved through, a **natural wetland**, estuary or the coastal marine area.

(d) A **stock crossing point** on a river, open drain, water race or lake shall:

(i) be not more than 20m wide, and

- (ii) be perpendicular to the direction of water flow, except where this is impracticable owing to the natural contours of the bed or adjoining land, and
- (iii) align with a constructed track or raceway on either side of the **stock crossing point**, and
- (iv) not be used to allow cattle, farmed deer or farmed pigs to be left unattended in, or not actively moved through, the water body, and
- (v) not be used more frequently than twice in any month.

Note

Fencing is one method of managing **livestock** access and fencing can be either permanent or temporary as long as it achieves the conditions of the rule.

Rule R98: Livestock access to ~~the beds of a~~ **surface water bodies or the coastal marine area** (excluding any Category 1 surface water body) – discretionary activity



The use and disturbance of the bed, including the banks, or other land in a **surface water body** or the coastal marine area, and any associated discharge to water, ~~land for access by any from **livestock** access to the bed (including the banks), and the disturbance of the bed and discharge of sediment and excreta to a **surface water body** that does not comply with~~ is not permitted by condition (b), (c) or (d) of Rule R97, is a discretionary activity.

Rule R98A: Livestock access to any **Category 1 surface water body** – non complying

The use and disturbance of the bed, including the banks, or other land in a **surface water body** or the coastal marine area, and any associated discharge to water, from **livestock** access that does not comply with condition (a) of Rule R97, is a non complying activity.

5.4.4 Earthworks and vegetation clearance

Rule R99: Earthworks– permitted activity

The use of land, and the associated discharge of ~~sediment-laden runoff~~ **stormwater** into water or onto or into land where it may enter water from **earthworks** ~~of up to a total contiguous area up to of~~ 3,000m² per **property** per 12 month period is a permitted activity, provided the following conditions are met:

- (a) soil or debris from **earthworks** is not placed where it can enter a **surface water body** or the coastal marine area, and
- (b) **earthworks** 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 **earthworks** occurs, and
- (c) work areas are **stabilised** within six months after the completion of the **earthworks**.

- (d) any **earthworks** shall not, after the **zone of reasonable mixing**, Result in any of the following effects in receiving waters
- (i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or
 - (ii) any conspicuous change in colour or visual clarity, or
 - (iii) any emission of objectionable odour, or
 - (iv) the rendering of fresh water unsuitable for consumption by animals, or
 - (v) any significant effect on aquatic life, and
- (e) earthworks shall not occur within 5m of a surface water body except for activities permitted by Rule R114 or Rule R115.

Note

Rule R99 does not control any earthworks or soil disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

Rule R100: Vegetation clearance on erosion prone land – permitted activity

The use of land, and the associated discharge of sediment-laden runoff stormwater into water or onto or into land where it may enter water from **vegetation clearance** ~~of up to~~ a total contiguous area ~~up to~~ of 2ha per **property** per 12 month period on **erosion prone land** is a permitted activity, provided the following conditions are met:

- (a) any soil or debris from the **vegetation clearance** is not placed where it can enter a **surface water body** or the coastal marine area, and
- (b) any soil disturbances associated with the **vegetation clearance** shall not after the **zone of reasonable mixing**, Result in any of the following effects in receiving waters
 - (i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or
 - (ii) any conspicuous change in colour or visual clarity, or
 - (iii) any emission of objectionable odour, or
 - (iv) the rendering of fresh water unsuitable for consumption by animals, or
 - (v) any significant effect on aquatic life, and
- (c) vegetation clearance shall not occur within 5m of a surface water body except for activities permitted by Rule R114 or Rule R115.

Notes:

- (a) Vegetation clearance is also controlled by provisions in district plans and bylaws, and the Electricity (Hazards from Trees) Regulations 2003.
- (b) Rule R100 does not control any vegetation clearance or vegetation disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

Rule R101: Earthworks and vegetation clearance – discretionary activity



The use of land, and the associated discharge of sediment-laden runoff stormwater into water or onto or into land where it may enter water from earthworks not permitted by Rule R99 or vegetation clearance on erosion prone land that is not permitted by ~~Rule R99~~ or Rule R100 is a discretionary activity.

Note:

Rule R101 does not control any earthworks or vegetation clearance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

5.4.5 Plantation forestry

~~Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity~~

~~The use of land, and the discharge of sediment laden runoff stormwater into water or onto or into land where it may enter water from plantation forestry harvesting on erosion prone land is a permitted activity, provided the following conditions are met:~~

- ~~(a) a harvest plan shall be prepared in accordance with Schedule O (forestry plan) and submitted to the Wellington Regional Council 20 working days prior to the plantation forestry harvesting, and~~
- ~~(b) disturbed vegetation or soil is not placed where it can dam or divert a surface water body, and~~
- ~~(b) when harvesting occurs across a surface water body, all disturbed vegetation, soil or debris must be deposited or placed in a position where it cannot enter a surface water body, or the coastal marine area, to avoid~~
 - ~~(i) diversion, damming, or erosion of any surface water body or coastal water, and~~
 - ~~(ii) degradation of any aquatic habitat or riparian zone, and~~
 - ~~(iii) damage to downstream infrastructure or property, and~~
- ~~(c) slash is removed from a surface water body where it is blocking river flow or is diverting river flow and causing bank erosion, and~~

- ~~(c) slash must be placed onto stable ground, and slash levels managed so slash does not accumulate to quantities that could cause collapse of slash piles on the edge of landing sites, and~~
- ~~(d) work areas are effectively revegetated within 18 months after the final completion of the **plantation forestry harvesting**.~~
- ~~(d) all disturbed soil must be **stabilised** or contained where it cannot allow the movement of **sediment laden runoff** into any **surface water body** or the coastal marine area resulting in –~~
 - ~~(i) the diversion or damming of any **surface water body**; or~~
 - ~~(ii) degradation of the aquatic habitat, riparian zone, **surface water body**, or coastal water; or~~
 - ~~(iii) damage to downstream infrastructure or properties, and~~
- ~~(e) any **sediment laden runoff earthworks** associated with **plantation forestry harvesting** shall not, after the **zone of reasonable mixing**, result in any of the following effects in receiving waters~~
 - ~~(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or~~
 - ~~(ii) any conspicuous change in colour or visual clarity, or~~
 - ~~(iii) any emission of objectionable odour, or~~
 - ~~(iv) the rendering of fresh water unsuitable for consumption by animals, or~~
 - ~~(v) any significant effect on aquatic life.~~

~~Rule R103: Plantation forestry harvesting – controlled activity~~ 

~~The use of land, and the discharge of **sediment laden runoff stormwater** into water or onto or into land that may enter water from **plantation forestry harvesting on erosion prone land** that is not permitted by Rule R102 is a controlled activity.~~

Matters of control

- ~~1. A harvest plan in accordance with Schedule O (forestry plan)~~
- ~~2. Methods for erosion and sediment control~~
- ~~3. Methods to manage and contain slash~~
- ~~4. Methods for stabilisation after harvesting~~
- ~~5. Design and location of river crossings and culverts~~
- ~~6. Methods for minimising bed disturbance~~

~~7. Impacts of sediment on receiving surface water bodies and any downstream receiving environment.~~

Note

Plantation forestry is also controlled by provisions in district plans.

5.5 Wetlands and beds of lakes and rivers

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon 

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Wetlands and beds of lakes and rivers	Page	P	C	RD	D	NC	Pr
Wetlands general conditions	158 194						
Activities in wetlands	159 195						
Rule R104: Structures in natural wetlands and significant natural wetlands	159 196	•					
Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands	159 196	•					
Rule 105A: Removal of wetland plants for Māori customary use or the use of an individual	197	•					
Rule R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands	160 198		•				

Rules – Wetlands and beds of lakes and rivers	Page	P	C	RD	D	NC	Pr
Rule R107: Activities in natural wetlands and significant natural wetlands	464 199				•		
Rule R108: Activities in natural wetlands and significant natural wetlands	464 199					•	
Rule R109: Activities in outstanding natural wetlands	462 200				•		
Rule R110: Activities in outstanding natural wetlands	462 200					•	
Rule R111: Reclamation or drainage of outstanding natural wetlands	463 201						•
Activities in beds of lakes and rivers	465 201						
Beds of lakes and rivers general conditions	463 201						
Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates)	465 203	•					
Rule R113: Diversion of flood water by existing structures	465 205	•					
Rule R114: River crossing structures	466 205	•					
Rule R115: Culverts	466 206	•					
Rule R116: Establishing a small dam and existing dams – permitted activity	468 208	•					
Rule R117: New structures	469 209	•					
Rule R125: Structures within a site identified in Schedule C (mana whenua)	476 210			•			
Rule R118: Removing or demolishing structures	470 211	•					
Rule R119: Clearing Clearance or removal of flood debris and beach recontouring	470 211	•					
Rule R120: Minor sand and gravel extraction	474 212	•					
Rule R129A: Gravel extraction for flood protection purposes or erosion mitigation inside sites of significance	214				•		
Rule R121: Maintenance of drains and highly modified rivers or streams within an individual property	472 214	•					
Rule R122: Removing vegetation from the bed of any river or lake	474 216	•					
Rule R123: Planting	475 218	•					
Rule R124: Entry or passage over bed (excluding livestock access)	476 219	•					
Reclamation and placement of a dam	477 219						
Rule R126: Placement of a dam in an outstanding water body	477 219					•	
Rule R127: Reclamation of the beds of rivers or lakes	478 219				•	•	
Rule R128: Reclamation of the bed of an outstanding river, lake or Schedule C site , and associated diversion	478 220						•

Rules – Wetlands and beds of lakes and rivers	Page	P	C	RD	D	NC	Pr
All other activities in the beds of lakes and rivers	478 220						
Rule R129: All other activities in river and lake beds	478 220				•		
Damming and diverting water	478 220						
Rule R130: Diversion of groundwater	478 220	•					
Rule R131: Damming or diverting water within or from rivers	478 221				•		
Rule R132: Damming or diverting water within or from rivers	479 221					•	
Rule R133: Damming or diverting water within or from natural lakes	479 221				•		
Rule R134: Damming or diverting water within or from natural lakes, Lake Kohangatera or Lake Kohangapiripiri	479 221					•	
Rule R135: General rule for taking, use, damming and diverting water	479 221				•		

5.5.1 Wetlands and beds of lakes and rivers other methods



The Wellington Regional Council will promote sustainable management of wetlands and the beds of lakes and rivers through Methods M1, M2, M6, M7, M8, M12, M17, M18, M19, M20, M21, M25, M26, M27, and M28.

5.5.2 Activities in wetlands general conditions

Wetlands general conditions



Wetland general conditions for activities in ~~natural wetlands,~~ **significant natural wetlands** and **outstanding natural wetlands** are that:

- ~~(g)~~(a) the vegetation and the bed of the **significant natural wetland or outstanding natural wetland** shall not be disturbed to a depth or an extent greater than that required to undertake the activity, ~~and~~
- ~~(a)~~(b) there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, ~~or~~ solvent, **heavy metals and other toxicants**) to water or the bed, except where this is the result of the disturbance of other than sediment and other materials inherent to already existing in the water or bed, but excluding any discharge of heavy metals or other toxicants, and
- ~~(b)~~(c) no cleaning or refuelling of machinery or equipment, ~~or storage of fuel shall take place on any area in, or within 10m of,~~ a **significant natural wetland or outstanding natural wetland**, ~~and fuel storage shall not occur or~~ at any location where fuel can enter a water body, and
- ~~(e)~~(d) all machinery, equipment and materials used for the activity shall be removed from the **significant natural wetland or outstanding natural wetland** every night and on completion of the activity. This

includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and

- ~~(d)~~(e) structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, unless a temporary restriction of no more than 48 hours is required for construction or maintenance activities, and
- ~~(e)~~(f) in any part of the **significant natural wetland or outstanding natural wetland with** inanga spawning habitat identified in Schedule F1b (inanga spawning) ~~F4 (coastal sites) and Schedule F5 (coastal habitats)~~, no bed disturbance, diversions of water or sediment discharge shall occur between 1 ~~March~~January and 31 May, and
- ~~(f)~~(g) the diversion of water shall not be for longer than the time required to undertake the activity, and any diversion of water required to undertake the activity must be for fewer than 14 consecutive days, and must occur prior to the disturbance of the bed of the **significant natural wetland or outstanding natural wetland**, and
- (h) the following setback conditions apply to plantation forestry activities as covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017:
 - (i) earthworks must not occur within 10m of a **significant natural wetland**, and
 - (ii) harvesting machinery must not be operated within 10m of a **significant natural wetland**, and
 - (iii) mechanical land preparation must not occur within 10m of a **significant natural wetland**.

Note

Cleaning and inspection of all equipment, machinery, or operating plant may be required under the Biosecurity Act 1993 to prevent the spread of “pests” or “unwanted organisms”.

The meaning of earthworks, harvesting machinery and mechanical preparation are defined in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

5.5.3 Activities in wetlands

Note

Also refer to the relevant district plan for provisions that apply to activities within or adjacent to wetlands.

Rule R104: Structures in ~~natural wetlands and~~ significant natural wetlands – permitted activity



In a significant natural wetland:

- (a) The use, maintenance, repair, addition, alteration, or replacement (like for like) of an existing lawfully established structure or existing lawfully established regionally significant infrastructure, including associated vegetation removal, and
- (b) the placement of a new structure of an area less than 10m² for the purpose of hunting and recreation (including maimai and jetties), and
- (c) the removal of an existing structure, ~~in a natural wetland or significant natural wetland,~~

including any associated:

- ~~(a)~~(d) disturbance of a river or lake bed, or foreshore or seabed that forms part of a significant natural wetland, and
- ~~(b)~~(e) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a significant natural wetland, and
- ~~(c)~~(f) damage to a part of the foreshore or seabed that forms part of a significant natural wetland, and
- ~~(d)~~(g) diversion of water, and
- ~~(e)~~(h) discharge of sediment to water

is a permitted activity, provided the following conditions are met:

- ~~(f)~~(i) only hand-held machinery is used in any area of the significant natural wetland, and
- ~~(j)~~ any new structure is not located within a site identified in Schedule C (mana whenua), and
- ~~(k)~~ any alteration or addition to an existing structure does not increase the size of the structure so that it occupies an area greater than 10m², and
- ~~(g)~~(l) 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.

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 **significant natural wetland or outstanding natural wetland**, and
- (b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a **significant natural wetland or outstanding natural wetland**, and
- (c) damage to part of the foreshore or seabed that forms part of a **significant natural wetland or outstanding 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 **typical of the area and wetland type** are deliberately introduced or planted, and
- (g) only ~~appropriate pest~~ plant **species that are not typical of the area and wetland type** are deliberately removed or controlled, and
- (h) only **agricultural** approved by the Environmental Protection Authority **for use into and over water** are used **and the conditions of Rule R37 (excluding clause (d)) are met**, and
- (i) **agricultural** are not applied by aerial spraying, and
- (j) only hand-held machinery is used in any area of the **significant natural wetland or outstanding natural 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.

Note

The Wellington Regional Council provides advice on its website and upon request regarding the management of wetlands, including appropriate species to plant **(those that are typical of the area and wetland type)** and appropriate ~~pest~~ plants to remove **(those that are not typical of the area and wetland type)**.

Rule 105A: Removal of wetland plants for Māori customary use or the use of an individual – permitted activity.

The selective removal of a plant or part of a plant from a significant natural wetland or an outstanding natural wetland for the purpose of Māori customary use or for the reasonable and non-commercial use of an individual is a permitted activity provided that:

- (a) the activity is carried out by hand, and**

- (b) the vegetation and the bed of the **significant natural wetland** or an **outstanding natural wetland** shall not be disturbed to a depth or an extent greater than that required to undertake the activity, and
- (c) within a site identified in Schedule C (mana whenua), the use is for **Māori customary use only**.

Rule R106: Restoration of ~~natural wetlands~~, significant natural wetlands and outstanding natural wetlands – controlled activity 

Activities for the purpose of the restoration of~~restoring~~ the indigenous biodiversity of a ~~natural wetland~~, **significant natural wetland** or **outstanding natural wetland** identified in Schedule A3 (outstanding wetlands), that are not permitted by rules R104 and R105, are controlled activities provided the following condition is met:

- (a) the activities are stipulated in and carried out in accordance with an approved wetland restoration management plan.

Matters of control

1. Removal, damage or modification of indigenous vegetation
2. Changes to the hydrology of the **significant natural wetland or outstanding natural wetland**
3. Species for planting
4. Amount of disturbance and deposition that may occur
5. Timing of the activities
6. Management of sites with significant **mana whenua** values in any ~~wetland~~**significant natural wetland or outstanding natural wetland** identified in Schedule C (mana whenua)
7. Type, frequency, density and timing of **livestock** access to, and (where there is no practicable alternative) the limited location of fencing within, the ~~wetland~~**significant natural wetland or outstanding natural wetland**
8. Ongoing **significant natural wetland or outstanding natural wetland** management
9. Methods of pest control, including the use of aerial spraying

Notification

In respect of Rule R106, applications are precluded from public notification (unless special circumstances apply).

Waiver of consent fees

To encourage and support the **restoration** of wetlands, the Wellington Regional Council will waive resource consent fees issued for this rule at its discretion.

Rule R107: Activities in ~~natural wetlands and~~ significant natural wetlands – discretionary activity



The following activities in a ~~natural wetland or~~ **significant natural wetland** except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R106:

- (a) the placement of new structures with a footprint of 10m² or greater for the purpose of hunting and recreation (including maimai and jetties) and all other structures,
- (b) the discharge of water or contaminants not permitted by Rule R42,
- (c) the clearance of indigenous wetland vegetation, (excluding the removal of pest plants under Rule R105 and the removal of plants for Māori customary use or for the use of an individual under R105A),
- (d) activities not meeting the conditions of Rules R104, ~~or~~ R105 or R105A,

including any associated:

- (e) disturbance of a river or lake bed, or foreshore or seabed that forms part of a significant natural wetland, and
- (f) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a significant natural wetland, and
- (g) damage to a part of the foreshore or seabed that forms part of a significant natural wetland, and
- (h) diversion of water, and
- (i) discharge of sediment to water

are discretionary activities.

Rule R108: Activities in ~~natural wetlands and~~ significant natural wetlands – non-complying activity



The following activities, in a ~~natural wetland or~~ **significant natural wetland** except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R106:

- (a) take, use, damming or diverting water into, within, or from the significant natural wetland, or the take and use of water within 50m of the significant natural wetland,
- (b) land disturbance including excavation and deposition,

- (c) ~~reclamation (including and drainage or diverting of water to an extent that the area affected ceases to have the characteristics~~ of a **significant natural wetland**),

including any associated:

- (d) disturbance of a river or lake bed, or foreshore or seabed that forms part of a **significant natural wetland**, and
- (e) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a **significant natural wetland**, and
- (f) damage to a part of the foreshore or seabed that forms part of a **significant natural wetland**, and
- (g) diversion of water, and
- (h) discharge of sediment to water

are non-complying activities.

Rule R109: Activities in outstanding natural wetlands – discretionary activity



The following activities in an **outstanding natural wetland** identified in Schedule A3 (outstanding wetlands), except those stipulated in and carried out in accordance with a **wetland restoration management plan** under Rule R106:

- (a) the maintenance, repair or replacement (like for like) of existing structures,
- (b) the placement of new structures of an area less than 10m² for the purpose of hunting and recreation (including maimai and jetties),
- (c) the removal of existing structures,
- (d) removal of pest plants that are not permitted by Rule R105

are discretionary activities.

Rule R110: Activities in outstanding natural wetlands – non-complying activity



The following activities, in an **outstanding natural wetland** identified in Schedule A3 (outstanding wetlands), except for those stipulated in and carried out in accordance with a **wetland restoration management plan** under Rule R106:

- (a) the discharge of water or contaminants,
- (b) take, use, damming or diverting water into, within, or from the **wetland outstanding natural wetland, or the take and use of water within 50m of the outstanding natural wetland,**

- (c) the placement of new structures with an area 10m² or greater for the purpose of hunting and recreation (including maimai and jetties), and all other structures,
- (d) land disturbance including excavation and deposition,
- (e) **vegetation clearance**, excluding the removal of pest plants under Rule R105,
- (f) other activities that are not discretionary under Rule R109 or prohibited by Rule R111

are non-complying activities.

Rule R111: Reclamation or drainage of outstanding natural wetlands – prohibited activity



Reclamation or drainage (~~including drainage or diverting of water to an extent that the area affected ceases to have the characteristics of a wetland~~) of all or part of an **outstanding natural wetland** identified in Schedule A3 (outstanding wetlands), except stipulated in and carried out in accordance with a **wetland restoration management plan** under Rule R106, is a prohibited activity.

5.5.4 Activities in beds of lakes and rivers general conditions

Beds of lakes and rivers general conditions

Beds of lakes and rivers general conditions for activities in the beds of lakes and rivers that apply as specified in Rules R112 to R125:

- (a) except where the discharge is expressly allowed by the activity description of a rule in this chapter there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, ~~or~~ solvent, heavy metals or other toxicants) to water or the bed, except where this is the result of the disturbance other than of sediment and other materials inherent to already existing in the water or bed, ~~but excluding any discharge of heavy metals or other toxicants~~, and
- (b) no cleaning or refuelling of machinery or equipment, or storage of fuel shall take place ~~on any area in, or within 10m of, a~~ river or lake bed, ~~nor will fuel storage occur~~ or at any location where fuel can enter any water body, and
- (c) all machinery, equipment and materials used for the activity shall be removed from the river or lake bed every night and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and
- (d) structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all

times, unless a temporary restriction of no more than 48 hours is required for construction or maintenance activities. This shall include avoiding any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and

- (e) in any part of the river bed identified as inanga spawning habitat in Schedule F1 (rivers/lakes), no bed disturbance, diversions of water or sediment discharge shall occur between 1 January ~~March~~ and 31 May, and
- (f) in any part of the river or lake bed covered by water, which is identified as trout spawning waters in Schedule I (trout habitat), disturbance of the bed or diversions of water shall not take place during the spawning period of between 31 May and 31 August, and
- (g) all reasonable steps shall be taken to minimise the generation and release of sediment from the activity, and the discharge of any sediment to water from any activity in, on, over or under the bed of a river or lake ~~must comply with the following:~~
 - ~~(i) — the release of sediment associated with the activity must not be undertaken for more than five consecutive days, and for more than 12 hours per day and~~
 - ~~(ii) — there must not, after reasonable mixing, result in—be any conspicuous change in the colour of water in the receiving water or change in horizontal visibility of greater than 30%, more than 24 hours after the completion of the activity, and~~
- (h) car bodies or demolition rubble shall not be used for any purpose on the bed of any river or lake, and
- (i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall:
 - (i) only be temporary and for a period no longer than that required to complete the activity, and
 - ~~(ii) — must be contained within the bed of the river, and~~
 - ~~(iii)(ii)~~ must not involve a lake, and
 - ~~(iv)(iii)~~ any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring **property**, and
- (j) the activity shall not result in erosion or scour of the river banks or shall not result in flooding of any neighbouring **property**, and
- (k) any structure, other than a stormwater intake structure or debris arrester, shall be designed ~~and maintained~~ so that it does not reduce

the ability of the river to convey flood flows. ~~This includes the~~ All structures shall be maintained to management of flood debris accumulated against the structure and the conveyance of flood flows, and

- (l) any structure shall not alter the natural course of the river, including any diversion of water from the natural course during floods. Tree planting or **vegetative bank edge protection** works that are limited to the banks of the river and do not extend into the active channel are not considered to alter the course of the river for the purpose of this condition, and
- (m) the river or lake bed shall not be disturbed to a depth or an extent greater than that required to undertake the activity, and
- ~~(n) in any part of a river or lake bed identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes), no structure shall be constructed, and no disturbance shall take place, during the critical period identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) if the named birds are identified as nesting, roosting and foraging at the work site, and~~
- ~~(o) beds of lakes and rivers general conditions (a) to (m) that apply as specified in Rule R112 to R125 do not cover any activities regulated by Sub-Part 4 – River crossings and Sub-Part 10 – General provisions in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.~~

Note

Any activity that results in fish passage being impeded may require approval from the Director General of Conservation under the Freshwater Fisheries Regulations 1983.

5.5.5 Activities in beds of lakes and rivers

Rule R112: Maintenance, repair, replacement, upgrade or use of existing structures (excluding the Barrage Gates) – permitted activity

The maintenance (including the maintenance of function), repair, replacement, **upgrade** or use of a lawfully established structure or a part of a structure excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (excluding the Barrage Gates located in the lower Wairarapa Valley) that is fixed in, on, under, or over the bed of a river or lake, including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water, and

(e) temporary damming of water

is a permitted activity, provided the following conditions are met:

~~(e)(f)~~ the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except the use of existing structures shall only comply with conditions (d), (h), (j), and (k), and

~~(f) — the resulting structure is contained within the form of the existing structure, or~~

(g) the resulting structure, excluding any cable, pipe or duct (for example gas pipes, electricity cables or ducts) attached to the structure and including any deposition, adds no more to the existing structure than whichever is the lesser of:

(i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or

(ii) 1m in horizontal projection and 1m in vertical projection

measured from the structure as it was in the river or lake bed on the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed or from the date that the structure was lawfully established, whichever is later, and

~~h) — any maintenance of the function of a structure shall:~~

~~(i) — only be for the purpose of removing or redistributing **flood debris** or gravel, sand or other natural bed material that has accumulated as a result of a culvert, **stormwater** inlet or outlet, bridge or debris arrestor structure, or a dam spillway, outflow pipe or overflow pipe, or to reduce the perched nature of any culvert due to scour, and~~

~~(ii) — be undertaken within 5m of the structure, and~~

~~(iii) — result in the disturbance or excavation of an area of bed of no more than 10m², and~~

~~(iv) — not result in the deposition of non-natural material, or the deposition of **flood debris** or bed material in such a way as to form a stockpile, dam or mound within the bed of the river, except as required to provide for fish passage, and~~

~~(i) — the use of any water monitoring equipment may divert up to 30m³ of water per day for the purpose of measuring water quality or quantity provided the water is returned to the water body within 50m of the diversion point, and the quality of the water in the receiving body after the diverted water is returned is maintained, and~~

- (j) any replacement, repair or **upgrade** of a dam structure shall be contained within the form of the existing structure as it was in the river or lake bed on the date of 31 July 2015 or from the date that the structure was lawfully established, whichever is later, and no increase in size shall be provided for by clause (g) of this rule.

Rule R113: Diversion of flood water by existing structures – permitted activity

The diversion of flood water by a structure or stopbank outside the bed of a river or lake that was in existence on ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~ 31 July 2015, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 is a permitted activity, provided the following condition is met:

- (a) the structure or stopbank causing the diversion shall not increase by more than 5% of the plan or cross-sectional area from ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~ 31 July 2015, provided the increased size does not cause flooding on any neighbouring **property**.

Note

The diversion of flood waters by any new structure constructed outside the bed of a lake or river, or any **upgraded** structures that do not meet condition (a) of Rule R113, would fall under Rule R135.

Rule R114: River crossing structures – permitted activity

The placement or construction ~~or use~~ of a river crossing structure, including, but not limited to, weirs, fords and ~~small~~ bridges, excluding culverts and a river crossing that dams a river, that is fixed in, on, under, or over the bed of a river, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water, and
- (e) temporary damming of water, and
- (f) **reclamation** associated with the crossing structure

is a permitted activity, provided the following conditions are met:

- ~~(e)~~(g) the activity shall comply with the beds of lakes and rivers general conditions specified above in section 5.5.4, and

~~(f)~~(h) the river crossing that has any part of the structure fixed in or on the bed has a catchment area above the crossing of not more than:

- (i) 200ha in any catchment in the region on the eastern side of the Ruamāhanga River, or
- (ii) 50ha in any catchment in the region on the western side of the Ruamāhanga River, and

~~(g)~~(i) the formed crossing shall be no wider than what is required for the purpose of the crossing and the total area of the structure in or on the bed of the river shall not exceed 20m², and

~~(h)~~(j) the activity does not occur within a site identified in Schedule C (mana whenua).

Note

Pipes, lines and cables are not considered to be river crossing structures and are addressed by Rule R117.

Condition (i) does not limit the total area of the structure over the bed of the river.

Rule R115: Culverts – permitted activity

The placement ~~or use~~ of a culvert that is fixed in, or on, the bed of a river excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water, and

(e) temporary damming of water, and

(f) reclamation associated with the culvert

is a permitted activity, provided the following conditions are met:

~~(e)~~(g) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (l) (not altering the natural course of the river), and

~~(f)~~(h) the activity does not occur within a site identified in Schedule C (mana whenua), and

- ~~(g)~~(i) where multiple culverts are placed side by side, the total ~~cross-sectional area~~ capacity of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and
- ~~(h)~~(j) the culvert, associated fill and culvert placement shall comply with the following dimensions:
- (i) a maximum culvert length of 20m, and
 - (ii) for circular culverts a culvert diameter of 0.3m to 1.2m (inclusive), and
 - (iii) for non-circular culverts a width and height of 0.3m to 1.2m each (inclusive), and
 - (iv) a culvert diameter, or width that is at least as wide as the river bed at the point at which the culvert is installed (and which complies with (h)(ii) and (h)(iii) above)
 - (v) a maximum fill height of 2m above the top of the culvert unless a spillway is constructed to enable the passage of a 5% annual exceedence probability (20 year return period) flood event without the fill being overtopped, and
- ~~(i)~~(k) a minimum culvert installation depth below the bed of 20% of the width of the culvert, and
- ~~(j)~~(l) the culvert shall be positioned so that its alignment and gradient are the same as the river, and
- ~~(k)~~(m) the culvert shall be constructed to allow:
- (i) the flow from a 5% annual exceedence probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway, and
 - (ii) the flow from a two year return period flood event without any flow impediment, and
- ~~(l)~~(n) the culvert inlet and outlet shall be protected against erosion, and
- ~~(m)~~(o) all practicable steps shall be taken to minimise the release of sediment during construction, and
- ~~(n)~~(p) the culvert shall be constructed and maintained to avoid any aggradation or erosion of the bed, including any erosion at the inlet and outlet of the culvert, and
- ~~(o)~~(q) the culvert shall be constructed and maintained to avoid causing any flooding on any neighbouring properties.

Rule R116: Establishing a ~~small dam and existing dams~~ – permitted activity

The placement of a new ~~small dam, or use of a small dam,~~ that is fixed in, on, or under the bed of a river including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) damming of water, and
- (e) discharge of sediment to water, and
- (f) **reclamation** associated with the dam structure, and
- (g) the damming of water outside the bed of a lake or river by a dam structure

is a permitted activity, provided the following conditions are met:

- (h) where the ~~small~~ dam occurs in the bed of a lake or river, the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (l) (not altering the natural course of the river), and, where the activity occurs in an **ephemeral flow path**, condition (d) (fish passage), and
- (i) the activity does not occur within a site identified in Schedule C (mana whenua), and
- (j) the ~~small~~ dam is not located in and does not cause water to pond in, a **significant natural wetland** identified in Schedule F3 (significant wetlands) or an outstanding water body identified in Schedule A (outstanding water bodies), and
- (k) the ~~small~~ dam shall not impound more than 20,000m³ of water above natural ground level, and
- (l) the ~~small~~ dam has a maximum water depth of less than 3m (measured from the natural ground level at the downstream toe of the dam structure), and
- (m) any new ~~small~~ dam does not have a catchment area above the dam of more than 20ha, and
- (n) the water impounded by the ~~small~~ dam does not encroach onto adjoining **properties**, and
- (o) a spillway or overflow pipe is constructed to prevent the dam from overtopping in a 5% annual exceedence probability (20 year return

period) flood event, and connects or discharges to the downstream watercourse, and

- (p) any new ~~small~~ dam in a permanently flowing river shall maintain a flow out of the dam at all times including during filling of the dam.

Note

If a dam retains ~~34m~~ or more depth or holds 20,000m³ of water or more, then a building consent is required in accordance with the Building Act 1991. This rule does not permit the taking of water from behind the dam structure. This is controlled by other rules in the Plan.

Rule R117: New structures – permitted activity

The placement ~~or use~~ of a new structure, including ~~but not limited to~~ sediment retention weirs, pipes, ducts, cables, hydrological and water quality monitoring equipment, fences, erosion protection structures, debris arrestor structures and structures associated with **vegetative bank edge protection** except a structure permitted by Rules R114, R115, and R116 that is fixed in, on, under, or over the bed of any river or lake, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general condition 5.5.4(n), including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water, and
- (e) temporary damming of water, and
- (f) partial stream reclamation associated with the structure

is a permitted activity, provided the following conditions are met:

- ~~(e)~~(g) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and
- ~~(f)~~(h) the activity does not occur within a site identified in Schedule C (mana whenua), excluding adding pipes or cables to an existing structure or providing for fish refuge, and
- ~~(g)~~ in any part of a river bed identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) the structure shall not be constructed during the critical period identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) if the named birds are identified at the construction site, and
- ~~(h)~~(i) the structure does not occupy a bed area any greater than 10m², except for where the structure is associated with **vegetative bank edge**

protection, or a pipe, duct, fence or cable which is located over or under the bed where no bed occupancy limits apply, and

~~(j)~~ the catchment upstream of any sediment retention weir is not greater than 200ha, and

~~(k)~~ the height of any sediment retention weir from the upstream base to the crest of the weir at the time of construction shall be no more than 0.5m.

~~(k)~~ any water monitoring equipment may divert up to 30m³ of water per day for the purpose of measuring water quality or quantity provided the water is returned to the water body within 50m of the diversion point, and the quality of the water where it is returned to the water body is the same or better than the receiving water body.

Rule R125: Structures within a site identified in Schedule C (mana whenua) – restricted discretionary activity

The placement of a river crossing structure, a culvert, new small dam, or other small structure that that is fixed in, on or under the bed of a river within a site identified in Schedule C (mana whenua), including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) damming of water, and
- (e) discharge of sediment to water, and
- (f) **reclamation** associated with the dam structure, and
- (g) the damming of water outside the bed of a lake or river by a dam structure

is a restricted discretionary activity, provided the following conditions are met:

- (h) any small river crossing (other than a culvert) must meet the conditions of Rule R114, except condition ~~(h)~~(j), and
- (i) any culvert must meet the conditions of Rule R115, except condition ~~(f)~~(h), and
- (j) any new small dam structure, must meet the conditions of Rule R116, except condition (i), and
- (k) any other small new structure must meet the conditions of Rule R117 except condition ~~(f)~~(h).

Matters for discretion

1. Effects on sites identified in Schedule C (mana whenua) with significant **mana whenua** values

Rule R118: Removing or demolishing structures – permitted activity

The removal or demolition of a structure or a part of a structure that is fixed in, on, under, or over any river or lake bed, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water

is a permitted activity, provided the following conditions are met:

- (e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and
- (f) the removal or demolition of the structure disturbs less than 10m²³ of the bed of the river or lake, and
- (g) it results in the complete removal of the structure from the river or lake bed, or the complete removal of that part of the structure requiring removal from the river or lake bed, and
- (h) no explosives shall be used in the demolition of the structure, and
- (i) the removal or deposition shall not result in the diversion of water from a **natural wetland**.

Rule R119: ~~Clearing~~ Clearance or removal of flood debris and beach recontouring – permitted activity

The clearing clearance or removal of **flood debris** on the bed of a river or lake, and **beach recontouring** of the bed of a river (including, but not limited to, beach ripping), excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general conditions 5.5.4(n) including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition of natural material on the river or lake bed, and
- (c) discharge of sediment to water associated with the clearing of **flood debris**

is a permitted activity, provided the following conditions are met:

- (d) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, excluding condition (f) (trout spawning) if the activity is solely for the purpose of removing **flood debris** from the inlet or outlet of a culvert or **stormwater** discharge pipe, or to remove **flood debris** from against the supporting structures of a bridge, and if in the case of both of these exceptions, the removal is necessary to maintain the immediate integrity and safety of the affected structures, and
- (e) the removal of **flood debris** shall be for the purposes of flood or erosion control or to maintain the integrity of a structure, and
- (f) any **beach recontouring** operation shall not occur on any part of the bed covered by water at the time of the bed disturbance, and
- (g) depth of excavation for the beach recontouring activities shall not extend below a level greater than 0.1m above the water level adjacent to the extraction site and ~~the beach recontouring~~ shall not extend to a depth greater than 1m, and
- (h) any moved or extracted river bed material or **flood debris** shall not be placed in the bed of the river in such a way as it forms a mound or causes the natural course of the river to be altered in a flood event, and
- (i) any **beach recontouring** shall only be for the purposes of mitigating the adverse effects of flooding or erosion, and
- ~~(j) in any part of a river bed identified in Schedule F2a (birds rivers) clearing of **flood debris** and **beach recontouring** shall not occur during the critical period identified in Schedule F2a (birds rivers) if the named birds are identified at the work site, and~~
- ~~(k) there is no removal of any sand, shingle, rock, gravel or other natural bed material from the bed, other than what is permitted in Rule R120, and~~
- ~~(j) the activity does not occur within a site identified in Schedule C (mana whenua).~~

Note

General condition 5.5.4(n) prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

The removal or extraction of gravel, sand or other natural bed material from the bed of a river is provided for in Rule R120.

Rule R120: Minor sand and gravel extraction – permitted activity

The excavation or other disturbance of the bed of a river for the purpose of extracting gravel or other bed material, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation

Forestry) Regulations 2017 except general condition 5.5.4(n)) including any associated:

- (a) deposition on the river or lake bed

is a permitted activity, provided the following conditions are met:

- (b) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and
- (c) extraction in any 12 month period shall be limited to whichever is the lesser of:
- (i) 15m³ for an individual's needs, or
 - (ii) 50m³ for use on the **property** on which the river bed occurs or is adjacent to, or
 - (iii) 1m³ where the material is removed from Te Awa Kairangi/Hutt River, which must be collected by non-mechanical means, and
- (d) the extraction site is not covered by water at the time of extraction, and
- (e) the extraction shall not extend to a level deeper than whichever is the greater of the following:
- (i) 0.1m above the water level adjacent to the extraction site, or
 - (ii) 0.5m below the original height of the beach where the extraction is occurring, and
- (f) no machinery shall operate in the area of the river bed covered in water, except for crossings to access and haul gravel. River crossing for this purpose shall be limited to one crossing point at each gravel extraction location, and
- (g) there shall be no stockpiling of extracted gravel on the bed of the river, and
- (h) the extraction site shall be set back more than 150m upstream from any established water level recorder, more than 50m upstream and downstream from any established weir, ford, culvert, bridge, dam, surface water intake structure or network utility structure pole or pylon, and more than 50m upstream or downstream from any existing flood control structures located in the bed of the river, and
- ~~(i) in any part of a river bed identified in Schedule F2a (birds rivers) extraction shall not occur during the critical period identified in Schedule F2a (birds rivers) if the named birds are identified at the construction site, and~~

~~(j)~~(i) the extraction site shall be groomed upon completion of the extraction so that there are no mounds, depressions, steep cut banks or edges left on the river bed, and

~~(j)~~ the activity does not occur within a site identified in Schedule C (mana whenua).

Note

General condition 5.5.4(n) prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

Rule R129A: Gravel extraction for flood protection purposes or erosion mitigation inside sites of significance – discretionary activity

Destruction, damage or disturbance associated with gravel extraction for flood protection purposes or erosion mitigation 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 bed of a lake or river, including any associated:

(a) deposition on the river or lake bed, and

(b) discharge of sediment to water, and

(c) diversion of water

is a discretionary activity.

Rule R121: Maintenance of drains ~~and highly modified rivers or streams~~ within an individual property – permitted activity

The removal of vegetation or bed material and associated sediment from any ~~farm~~ **drain** or any **highly modified river or stream** within an individual property, excluding any **drain** or **highly modified river or stream** that is managed as part of a **stormwater network** or that is a **water race**, including any associated:

(a) disturbance of the ~~drain~~ **drain** bed, and

(b) deposition on the ~~drain~~ **drain** bed, and

(c) diversion of water ~~in the drain~~, and

(d) discharge of sediment to water

is a permitted activity, provided the following conditions are met:

(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except condition (g) (sediment condition), with all reference to a river or lake being read to also include **drain (as well as a highly modified river or stream) artificial farm drainage canal,** and

- (f) any works to alter the depth or width of a **drain or highly modified river or stream** shall not excavate any deeper or wider than the original grade or cross section of the ~~drain~~ channel, unless the widening or deepening is for the purpose of constructing or maintaining a sediment retention trap or a fish refuge bay, and
- ~~(g) an intact vegetation cover (excluding weeds) shall be retained on the banks of the watercourse, and~~
- ~~(g) if mechanically clearing aquatic vegetation, the machinery must use a weed bucket with a curved flat base, and a slatted back that permits the easy drainage of water and fish back into the drain, and~~
- (h) any fish (except identified pest species), kākahi and kōura removed from the **drain or highly modified river or stream** during maintenance works shall be returned to the **drain or highly modified river or stream** at a site upstream of the works as soon as practicable, and no later than one hour after its removal ~~from the drain~~, and
- (i) any sediment, ~~or~~ bed or plant material removed from the **drain or highly modified river or stream** shall be placed and spread on adjoining land in such a way that it cannot slump and be washed back into the ~~drains~~, or highly modified river or stream or other waterbodies, including wetlands, and
- (j) ~~two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), where the activity involves the mechanical clearance of a drain, if mechanically clearing, to provide fish refuge areas, either:~~
- (i) only one side of the **drain or highly modified river or stream** shall be cleared at any one time, and the other side ~~of the drain~~ may only be cleared at least three months following completion of the initial works, or
- (ii) ~~only the middle of the drain shall be cleared, and an uncleared margin of at least 30% of the width of the drain, but no less than 0.3m, shall be left uncleared on each side of the drain, and if clearing both sides of the drain or highly modified river or stream, for every 200m length of drain or highly modified river or stream cleared either:~~
1. at least a 10m length of intact aquatic vegetation cover is retained (and may not be cleared for at least three months), or
 2. a constructed fish refuge that is at least 1m² is provided, and
- (k) ~~where the activity involves the mechanical clearance of a drain, the activity shall commence at the most upstream point of the length of drain to be cleared and move downstream, and sediment shall be~~

trapped at the downstream end of the cleared reach by either installing a sediment trap or a sediment retention device, or retaining a length of intact aquatic vegetation that is at least 10m in length until, at least:

(i) the end of each working day where the reach has been cleared working upstream, or

(ii) otherwise the end of the following working day.

~~(f) any maintenance works in the bed of a **drain** shall not remove any woody debris with a diameter greater than 0.2m from the **drain** unless it is causing, or has the potential to cause a flood or erosion threat, or a threat to infrastructure.~~

Note

The application of **agricultural chemicals** over **surface water bodies** or over lake or river beds is covered in Section 5.1.13.

Cleaning and inspection of all equipment, machinery, or operating plant may be required under the Biosecurity Act 1993 to prevent the spread of “pests” or “unwanted organisms”.

Rule R122: Removing vegetation from the bed of any river or lake – permitted activity

The trimming or removal of vegetation (including weeds) from the bed of any river or lake (excluding a **drain** or **highly modified river or stream**) and any associated sediment or bed material attached to the roots of the vegetation being removed, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except general condition 5.5.4(n), including any associated:

- (a) disturbance of the lake or river bed, and
- (b) deposition on the lake or river bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water

is a permitted activity, provided the following conditions are met:

(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and

~~(f) in any part of a river bed identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) vegetation removal shall not occur during the critical period identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) if the named birds are identified at the work site, and~~

~~(f)(g)~~ the activity shall not cause any increase in flooding on neighboring **properties**, and

- ~~(h)~~ if mechanically clearing aquatic vegetation from an area of river or lake bed covered in water, the machinery must use a weed bucket with a curved flat base and a slatted back that permits the easy drainage of water and fish, and
- ~~(g)(i)~~ any fish (except identified pest species), kākahi and kōura removed from the river or lake bed during maintenance works shall be returned to the river or lake at a site upstream of the works as soon as practicable, and no later than one hour after removal, and
- ~~(h)(j)~~ floating debris and plant material shall be prevented from drifting away and causing obstructions to the river or lake bed, or spreading pest plants (as listed in the *Greater Wellington Regional Pest Management Strategy 2002-2022*), and
- ~~(k)~~ where the activity involves the removal of an area of contiguous woody vegetation from the banks of a river, that extends for a length of river bed of greater than 100m, either:
 - ~~(i)~~ a length of river bed of 10m shall be left with intact woody vegetation as a refuge area for every 200m of cleared river bed. The vegetation in the refuge area must be left for at least three months following completion of the main works, or
 - ~~(ii)~~ where there is contiguous woody vegetation on both sides of the banks of the river, vegetation is only removed from one side of the river, and the vegetation is not removed from the opposite for a period of 12 months,
- ~~(i)(l)~~ where the activity involves the mechanical clearance of aquatic vegetation from a river, to provide fish refuge areas either:
 - (i) only one side of the river shall be cleared at any one time, and the other side may only be cleared at least three months following completion of the initial works, or
 - (ii) only the middle of the river shall be cleared, and an uncleared margin of at least 30% of the width, but no less than 0.3m, shall be left uncleared on each side, and if clearing both sides of the river, for every 200m length of watercourse cleared at least a 10m length of intact aquatic vegetation cover is retained (and may not be cleared for at least three months), and:
- ~~(m)~~ any clearance works in the bed of a river or lake shall not remove any woody debris with a diameter greater than 0.2m unless it is causing, or has the potential to cause a flood or erosion threat, or a threat to infrastructure, and
- ~~(j)(n)~~ no excavation of the bed, or widening or deepening of the bed is permitted by this rule.

Note

The spray application of **agrichemicals** over water bodies or over river and lake beds is covered in Section 5.1.13.

~~Condition (k) does not apply to lopping and cabling of willows for vegetative bank edge protection works.~~

Cleaning and inspection of all equipment, machinery, or operating plant may be required under the Biosecurity Act 1993 to prevent the spread of “pests” or “unwanted organisms”.

General condition 5.5.4(n) prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

Rule R123: Planting – permitted activity

The deliberate introduction or planting of a plant in the bed of a river or lake, including any associated:

- (a) disturbance of the lake or river bed, and
- (b) deposition on the lake or river bed, and
- (c) diversion of water, and
- (d) discharge of sediment to water

but excluding the deliberate introduction or planting of:

~~(e) crack willow (*Salix fragilis*) and grey willow (*Salix cinerea*), other than where they are already predominant but excludes the following areas where they are predominant (to be developed), and~~

~~(f) an introduced, submersed aquatic plant, and~~

~~(g)(e)~~ a species listed in the *Greater Wellington Regional Pest Management Strategy 2002-2022*.

is a permitted activity, provided the following conditions are met:

~~(h)(f)~~ the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and

~~(i)(g)~~ only native plants shall be used in a site identified in Schedule A (outstanding water bodies); or Schedule C (mana whenua); ~~and~~ In a site identified in Schedule F (indigenous biodiversity) only native plants shall be used, except where appropriate non-native species are required for flood protection or erosion control, and

~~(j)(h)~~ no planting shall be undertaken in an identified river management scheme area, unless it is undertaken in accordance with the planting program specified in the relevant floodplain river management plan.

Rule R124: Entry or passage over bed (excluding livestock access) – permitted activity

The entry or passage across the bed of a river or lake that is not associated with any use of the river or lake bed specified in Rules R112 to R123, excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, which is not for the purpose of **livestock** access covered by Rules R97 and R98 is a permitted activity provided the following condition is met:

- (a) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, except if the entry or passage is associated with an activity with an **existing resource consent** granted prior to ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~ 31 July 2015.

Note

Entry or passage across the bed of a river or lake is permitted by Rule R124 but does not permit other uses of river or lake beds that are identified in Section 13 of the Resource Management Act 1991. Other uses of river and lake beds such as disturbance, deposition, and **reclamation** require resource consents unless they are permitted by a rule in the Plan.

Entry or passage across the bed of a river or lake associated with a permitted activity is not restricted by this rule.

5.5.6 Reclamation and placement of a dam

Rule R126: Placement of a dam in an outstanding water body – non-complying activity

The placement or use of a dam that is fixed in, on, or under the bed of an outstanding water body identified in Schedule A2 (outstanding lakes) or Schedule A1 (outstanding rivers), or the damming of water that encroaches on an outstanding water body including any associated:

- (a) disturbance of the river or lake bed, and
- (b) deposition on the river or lake bed, and
- (c) discharge of sediment to water, and
- (d) **reclamation** associated with the dam structure, and
- (e) and the damming of water outside the bed of a lake or river by a dam structure

is a non-complying activity.

Rule R127: Reclamation of the beds of rivers or lakes – non-complying activity

The **reclamation** of the bed, or any part of the bed, of a river or lake:

- ~~(a) — associated with the piping of a stream, or~~

- ~~(b)~~ in a site identified in Schedule A1 (outstanding rivers), or
- (a) in a site identified in Schedule A1 (outstanding rivers) or Schedule A2 (outstanding lakes) where the **reclamation** is necessary to enable the operation, maintenance or **upgrade of regionally significant infrastructure**, or
- ~~(e)~~(b) in a site identified in Schedule C (mana whenua) where the **reclamation** is necessary to enable the operation, maintenance or **upgrade of regionally significant infrastructure** or the **reclamation** is only a partial **reclamation**.

is a non-complying activity.

Rule R128: Reclamation of the bed of an outstanding river, lake or Schedule C site, and associated diversion – prohibited activity

The **reclamation** of the bed, or any part of the bed, of:

- (a) a river identified in Schedule A1 (outstanding rivers), or
- (b) a lake identified in Schedule A2 (outstanding lakes), or
- (c) a site identified in Schedule C (mana whenua)

and any associated diversion of water, is a prohibited activity, except as provided for by Rule R127.

5.5.7 All other activities in the beds of rivers and lakes

Rule R129: All other activities in river and lake beds – discretionary activity

All other activities, except for damming and diverting of water, in river and lake beds that is not permitted or restricted discretionary by Rule R112 to Rule R125 is a discretionary activity except for those activities that are non-complying or prohibited under Rule R126, Rule R127 or Rule R128.

5.5.8 Damming and diverting water

Rule R130: Diversion of groundwater – permitted activity



Diversion of groundwater is a permitted activity, provided the following conditions are met:

- (a) there shall be no flooding or erosion of any neighbouring **property**, and
- (b) there shall be no lowering of water levels in any river, lake, or **natural wetland**, and
- (c) there shall be no lowering of groundwater levels on any neighbouring **property**.

Rule R131: Damming or diverting water within or from rivers – discretionary activity

The damming or diverting of water within or from a river that does not meet Rules R112, R114, R115, R116, R117, R118, R119, R121, R122 and R123 and R140 is a discretionary activity, provided the following conditions are met:

- (a) the damming or diverting of water shall not result in river flows falling below **minimum flows** in chapters 7 to 11 of the Plan, and
- (b) the damming or diverting of water is not in any outstanding river identified in Schedule A1 (outstanding rivers).

Rule R132: Damming or diverting water within or from rivers – non-complying activity

The damming or diverting of water within or from a river that does not meet conditions in Rule R131 is a non-complying activity.

Rule R133: Damming or diverting water within or from natural lakes – discretionary activity

The damming or diverting of water within or from a **natural lake** other than Lake Kohangatera and Lake Kohangapiripiri is a discretionary activity provided the following conditions are met:

- (a) in Lake Wairarapa, the **minimum water levels** in chapter 7 of the Plan are met, and
- (b) in **natural lakes**, other than Lake Wairarapa, there is no change in the natural minimum lake level.

Rule R134: Damming or diverting water within or from natural lakes, Lake Kohangatera or Lake Kohangapiripiri – non-complying activity

The damming or diverting of water within or from **natural lakes** that do not meet the conditions in Rule R133 or within or from Lake Kohangatera or Lake Kohangapiripiri is a non-complying activity.

Rule R135: General rule for ~~taking, use,~~ damming and diverting water – discretionary activity



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.

5.6 Water allocation

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon .

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Water allocation	Page	P	C	RD	D	NC	Pr
Take and use of water	184 223						
Rule R136: Take and use of water	184 223	•					
Rule R137: Farm dairy washdown and milk-cooling water	182 224	•					
Rule R138: Water races	182 225	•					
Rule R139: Pumping test	183 225	•					
Rule R140A: Take and use of water from a water storage facility	226	•					
Rule R141: Take and use of water	183 226		•				
Rule R142: All other take and use	184 226				•		
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Rules – Water allocation	Page	P	C	RD	D	NC	Pr
Rule R140B: Dewatering	228			•			
Transferring water permits	184 228						
Rule R143: Temporary water permit transfers	184 228		•				
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Rule R145: Transferring water permits	186 229				•		
Bore construction, or alteration or decommissioning	186 229						
Rule R146: Geotechnical Investigation and monitoring bores	186 230	•					
Rule R147: Drilling, construction or alteration of any bore	186 231		•				
Rule R148: Drilling, construction or alteration of any bore	187 231				•		
Rule R148A: Decommissioning or sealing of bores – permitted	232	•					
Rule R146A: Construction and excavation activities greater deeper than 5m below ground level in community drinking water supply protection areas and the Hutt Valley aquifer system – discretionary activity	232				•		

5.6.1 Water allocation other methods

The Wellington Regional Council will promote sustainable water management through Method M1, M2, M6, M7, M13, M17, M18, and M19.

5.6.2 Take and use of water

In addition to the rules in Section 5.6.2, rules in chapters 7 to 11 of the Plan on the take and use of water also apply.

The take and use of water for:

- [reasonable domestic needs or reasonable needs for animal drinking is provided for by section 14\(3\)\(b\) of the RMA and the taking or use does not, or is not likely to have an adverse effect on the environment, and](#)
- [emergency or training purposes in accordance with section 48 of the Fire and Emergency New Zealand Act 2017 is provided for by section 14\(3\)\(e\) of the RMA](#)

[Rules R136, R137, R138, R139, R140, R141 and R142 provide for water to be taken and used in addition to those purposes.](#)

Rule R136: Take and use of water – permitted activity

The take and use of water from a **surface water body** (other than a **water race** that is permitted by Rule R138) or groundwater is a permitted activity, provided the following conditions are met:

- (a) the total take and use per **property** shall not exceed the following rates and volumes, and

Property size	Rate	Volume per day
---------------	------	----------------

Greater than 20ha	2.5L/s	20m ³
Less than 20ha	2.5L/s	10m ³

- (b) the take of groundwater does not adversely affect reliability of supply from properly constructed, efficient and fully functioning nearby **bores**, and
- (c) where the take and use is from **surface water body**, a fish screen with a minimum mesh size of 3mm shall be installed to prevent fish entering the intake ~~fish are prevented from entering the water intake,~~ and
- (d) the water is not taken from a **natural wetland**, or from within 50m of a **natural wetland**, and
- (e) no water shall run to waste, and
- (f) at the written request of the Wellington Regional Council a water meter is installed and daily water use records are kept and provided to the Wellington Regional Council.

Note

~~Section 14(1)(b) of the Resource Management Act 1991 provides for firefighting and an individual's reasonable domestic needs and the reasonable needs of an individual's animals for drinking water. The take and use does not, or is not likely to, have an adverse effect on the environment.~~

Rule R137: Farm dairy washdown and milk-cooling water – permitted activity

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 farm dairy washdown and milk cooling on a dairy milking platform is a permitted activity, provided the following conditions are met:

- (a) the take shall be for a single **property**, and
- (b) the total take shall be no more than 70L per day per head 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
- (c) the take of groundwater does not adversely affect reliability of supply from properly constructed, efficient and fully functioning nearby **bores**, and
- (d) where the take and use is from **surface water body**, a fish screen with a minimum mesh size of 3mm shall be installed to prevent fish entering the intake ~~fish are prevented from entering the water intake,~~ and

- (e) the water is not taken from a **natural wetland**, or from within 50m of a **natural wetland**, and
- (f) all practicable measures for recycling of uncontaminated ~~washdown~~ milk-cooling water are implemented, and
- (g) at the written request of the Wellington Regional Council a water meter is installed and daily water use records are kept and provided to the Wellington Regional Council.

Note

Water taken for farm dairy washdown and cooling water may be taken in addition to water taken under Rule R136.

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.

Rule R138: Water races – permitted activity

The take and use of water from a **water race** by a single property (that is not already permitted by Rule R136 or Rule R137) shown on Map 28 is a permitted activity, provided the take and use is authorised within the ~~by a~~ resource consent held by the territorial authority controlling the **water race**.

Note

Water races shown on Map 28 are under territorial authority control and the approval of the relevant territorial authority is required to take water from a **water race**.

Rule R139: Pumping test – permitted activity

The take and use of water from groundwater and the associated diversion and discharge of groundwater or contaminants for the purpose of carrying out a **pumping test** is a permitted activity, provided the following conditions are met:

- (a) the take continues only for the time required to carry out the **pumping test** and does not exceed 120 hours and totals no more than 10 days in any consecutive 12 month period per **bore**, and
- (b) any **pumping test** is carried out in accordance with Schedule T (pump test), and
- (c) records (including electronic copies) of the **pumping test** are provided to the Wellington Regional Council within one month of completion of the **pumping test**, and
- (d) there is no flooding beyond the boundary of the **property**, and
- (e) a discharge to water, or onto or into land where it may enter water meets the conditions of Rule R42.

Rule R140A: Take and use of water from a water storage facility – permitted activity

The take and use of water from a water storage facility located outside a river bed, is a permitted activity provided the take and use of water to fill the storage facility is authorised by a resource consent or Rule R136.

Rule R141: Take and use of water – controlled activity

The take and use of water from a **surface water body** or groundwater is a controlled activity, provided the following conditions are met:

- (a) the take and use was in existence on a **property** less than 20ha in size at the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (b) the total take and use per **property**, in combination with permitted activity Rule R136, shall not exceed 20m³ per day at a rate of no more than 2.5L/s, and
- (c) the take of groundwater does not adversely affect reliability of supply from properly constructed, efficient and fully functioning nearby **bores**, and
- (d) where the take and use is from **surface water body**, a fish screen with a minimum mesh size of 3mm shall be installed to prevent fish entering the intake ~~fish are prevented from entering the water intake~~, and
- (e) the water is not taken from a **natural wetland** or within 50m of a **natural wetland**, and
- (f) no water shall run to waste.

Matters of control

1. Supply and contents of water use records

Rule R142: All other take and use – discretionary activity

The take and use of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity is a discretionary activity.

Rule R140: Dewatering – permitted activity

The take of groundwater and the associated diversion and discharge of that water for the purpose of **dewatering** a site (including the use of land associated with well pointing), ~~including but not limited to, maintenance, excavation, construction or geotechnical testing~~, is a permitted activity, provided the following conditions are met:

- (a) the take continues only for the time required to carry out the work but does not exceed one month, and

- (b) the take and diversion and discharge is not from, onto or into **contaminated land** or potentially contaminated land, and
- (c) the take does not cause ground subsidence, and
- (d) the take does not deplete water in a **surface water body**, and
- (e) there is no flooding beyond the boundary of the **property, and**
- (f) a discharge to water, or onto or into land where it may enter water meets the conditions of Rule R42, and
- (g) where the dewatering is located within a community drinking water supply protection area shown on Map 27a, Map 27b or Map 27c, or the Hutt Valley aquifer system shown on Map 30A, any construction or removal of building foundations or earth retention structures or excavation (permanent or temporary) associated with the dewatering does not exceed a depth of 5m below the natural ground level.

Note

~~Discharges to water, or onto or into land where it may enter water related to dewatering are provided for by Rule R42.~~

Rule R140B: Dewatering – restricted discretionary activity

The take of groundwater and the associated diversion and discharge of that water (including the use of land associated with well pointing) for the purpose of dewatering a site that is not permitted by Rule R140 is a restricted discretionary activity, provided the following condition is met:

- (a) where the dewatering is located within a community drinking water supply protection area shown on Map 27a, Map 27b or Map 27c, or the Hutt Valley aquifer system shown on Map 30A, any construction or removal of building foundations or earth retention structures or excavation (permanent or temporary) associated with the dewatering does not exceed a depth of 5m below the natural ground level.

Matters for discretion

1. Duration, location, volume and rate of take, diversion or discharge
2. Quality of the discharge
3. Effects of land subsidence
4. Interference effects on lawfully existing water takes
5. Effects on surface water bodies
6. Effects of contamination on land, soil and water
7. Measuring, monitoring and reporting

5.6.3 Transferring water permits

Rule R143: Temporary water permit transfers – controlled activity

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:

- (a) the transfer is:
 - (i) within the same **catchment management sub-unit** for takes within the Ruamāhanga **Whaitua** (chapter 7), or
 - (ii) within the same **catchment management unit** for takes within any other **whaitua** (chapters 8-11), and
- (b) does not transfer the water take from groundwater to a river, and
- (c) all parties to the transfer shall have the same or equivalent metering and reporting requirements as in the parent/original permit, and
- (d) the reliability of supply for existing lawfully established water takes is not reduced, and
- (e) the take shall not occur when flows or water levels fall below the **minimum flows or minimum water levels** in chapters 7-11 of the Plan, and
- (f) there is no increase in saline intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface.

Matters of control

1. The timing, amount and rate of water transferred
2. The duration of the transfer permit
3. Measures to ensure the reasonable and efficient use of water
4. Matters relating to any conditions of the parent/original water permit
5. Reduction in the rate of take at times of low flow

Rule R144: Transferring water permits – restricted discretionary activity

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:

- (a) the transfer is:
 - (i) within the same **catchment management sub-unit** for takes within the Ruamāhanga **Whaitua** (chapter 7), or

- (ii) within the same **catchment management unit** for takes within any other **whaitua** (chapters 8-11), and
- (b) the reliability of supply for existing lawfully established water takes is not reduced, and
- (c) the take shall not occur when flows or water levels fall below the **minimum flows or minimum water levels** in chapters 7-11 of the Plan, and
- (d) there is no increase in saline intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface.

Matters for discretion

1. The reasonable and efficient use of water, including the criteria identified in Schedule Q (efficient use)
2. The timing, amount (volume) allocated, rate of taking and using water including instantaneously (L/s) and daily (m³/day), daily and seasonal requirements, and the duration and timing of peak daily take rate
3. Reduction in the rate of take from surface water ~~and directly connected groundwater~~ **Category A groundwater and Category B groundwater** at times of low flow, and restrictions when rivers approach or fall below **minimum flows or minimum water levels**, including the guideline for **stepdown allocation** and flows in Schedule R (stepdown guidelines)
4. Effects due to local flow or water level depletion on **natural wetlands**, springs or the immediate downstream river reaches in the management unit
5. Interference effects on existing lawful water takes
6. For **surface water bodies**, preventing fish from entering the water intake
7. For groundwater, preventing saline intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface
8. The duration of the permit
9. Measuring and reporting, including the guideline in Schedule S (measuring takes).

Rule R145: Transferring water permits – discretionary activity

The transfer of the whole or part of a water permit for the taking and use of water that does not meet the conditions of Rule R144 is a discretionary activity.

5.6.4 Bore construction, ~~or~~ alteration or decommissioning

Rule R148A: Decommissioning or sealing of bores –

permitted activity



The use of land for the decommissioning or sealing of a bore is a permitted activity, provided the following conditions are met:

- (a) the bore is decommissioned in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and
- (b) bores shall be backfilled and sealed at the surface to prevent contamination of groundwater, and
- (c) bores intersecting groundwater shall be sealed to prevent the vertical movement of groundwater and to permanently confine the groundwater to the specific zone (or zones) in which it originally occurred, and
- (d) backfill materials, where used between permanent seals, shall consist of clean sand, coarse stone, clay or drill cuttings. The material shall be non-toxic, and
- (e) decommissioning shall be undertaken by a suitably qualified person, and
- (f) the Wellington Regional Council shall be advised of any bores that are decommissioned and if requested, be supplied with details of how the bore was decommissioned.

Rule R146: ~~Geotechnical Investigation~~ and monitoring bores – permitted activity



The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a **geotechnical investigation bore** for the purpose of investigation or monitoring the conditions below the ground surface is a permitted activity, provided the following conditions are met:

- (a) where the bore is ~~not~~ located within a community drinking water supply protection area shown on ~~Map 26~~, Map 27a, Map 27b, or Map 27c, the depth below ground level will not exceed 5m, and
- (b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and
- (c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and
- (d) there is no flooding beyond the boundary of the property, and
- (e) where the bore is located within the Hutt Valley aquifer zone shown on Map 30A the depth below ground level will not exceed 5m on land or 5m below the seabed in the coastal marine area, and

- (f) a discharge to water, or onto or into land where it may enter water meets the conditions of Rule R42, and
- (g) where the **bore** is located within the coastal marine area, the activity shall comply with the coastal management general conditions specified in Section 5.7.2, excluding conditions (b) and (c), and
- (h) the **bore** shall be decommissioned in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock as soon as practical after the investigation and monitoring is completed, and
- (i) the **bore** is not associated with hydrocarbon exploration or production.

Note

For contaminated land site investigation **bores** Rule R54 also applies.

Rule R147: Drilling, construction or alteration of any bore – controlled activity



The use of land and the associated diversion and discharge of water or contaminants for drilling, construction or alteration of a **bore** (~~other than a geotechnical investigation bore~~ that is not permitted by Rules R146, or R148A) is a controlled activity, provided the following conditions are met:

- (a) the **bore** is not associated with hydrocarbon exploration or production, and
- (b) the bore is constructed, operated and/or decommissioned in accordance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*

Matters of control

1. Compliance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*
2. **Bore** location, size (including diameter of the **bore** casing), casing type and depth
3. **Bore** screening depth and type
4. Backflow prevention methods
5. Information requirements including **bore** logs, piezometric levels, groundwater tests, and **bore** construction details
6. Management of the effects of any discharge of contaminants

Rule R148: Drilling, construction or alteration of any bore – discretionary activity



The use of land and the associated diversion and discharge of water or contaminants for drilling, construction or alteration and/or decommissioning of

a **bore** that is not permitted by Rule R146 or controlled by Rule R147 is a discretionary activity.

Rule R146A: Construction and excavation activities ~~greater~~ deeper than 5m below ground level in **community drinking water supply protection areas** and the Hutt Valley aquifer system – discretionary activity

The use of land within a **community drinking water supply protection area** shown on Map 27a, Map 27b or Map 27c, and the Hutt Valley aquifer system shown on Map 30B for the construction or removal of building foundations and earth retention structures or excavation (permanent or temporary) where the depth below the natural ground level exceeds 5m including any associated:

- (a) diversion of water, or
- (b) dewatering, or
- (c) discharge of water and contaminants

is a discretionary activity.

5.7 Coastal management

Interpretation

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 Provisions relevant to the coastal marine area are identified by this icon .

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
Coastal management general conditions	192 237						
Maintenance, repair, additions and alterations to existing structures	198 243						
Rule R149: Maintenance or repair of structures	198 243	•					
Rule R150: Minor additions or alterations to structures	198 244	•					
Rule R151: Additions or alterations to structures	199 245		•				
Removal or demolition of structures	204 246						
Rule R152: Removal or demolition of a structure or part of a structure	204 246	•					
Rule R153: Removal or demolition of a structure or part of a structure	204 247			•			

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
New and replacement structures (including temporary structures)	202 248						
Rule R154: New temporary structures outside sites of significance	202 248	•					
Rule R155: New temporary structures	203 249			•			
Rule R156: New or replacement navigation aids	204 249	•					
Rule R157: New or replacement structures for special purposes	205 250		•				
Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes	206 251				•		
Rule R159: Structures in airport height restriction areas or navigation protection areas	206 252						•
Rule R160: Structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone	207 252				•		
Rule R161: New structures, additions or alterations to structures outside sites of significance	207 253				•		
Rule R162: New structures, additions or alterations to structures inside sites of significance	207 253					•	
Rule R163: Replacement of structures or parts of structures	208 254	•					
Rule R164: Replacement of structures <u>or parts of structures</u>	209 254			•			
Seawalls	209 255						
Rule R165: Additions or alterations to, <u>or replacements of</u> , existing seawalls	209 255		•				
Rule R166: Seawalls outside sites of significance	210 256				•		
Rule R167: Seawalls inside sites of significance	211 256					•	
Heritage structures	211 257						
Rule R168: <u>Maintenance or repair or Alteration</u> to structures identified in Schedule E2 or Schedule E3	211 257	•					
Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2	212 258			•			
Rule R170: Additions to structures identified in Schedule E3	213 259	•					
Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3	213 259				•		
Rule R172: Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3	214 260				•		

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
Structures in the Commercial Port Area	244 260						
Rule R173: Maintenance or repair or Alteration or alterations to structures inside the Commercial Port Area	244 260	•					
Rule R174: Maintenance or repair or Alteration or alterations to structures inside the Commercial Port Area	245 261		•				
Rule R175: New structures associated with passenger and cargo handling inside the Commercial Port Area	245 262	•					
Boatsheds and swing moorings	246 262						
Rule R176: Use of boatsheds	246 262	•					
Rule R177: Change of use of boatsheds	246 262					•	
Rule R178: New boatsheds inside Boatshed Management Areas	246 263				•		
Rule R179: New boatsheds outside Boatshed Management Areas	247 263					•	
Rule R180: New s Swing moorings inside Mooring Areas	247 263	•					
Rule R181: New swing moorings outside Mooring Areas	247 264					•	
Occupation	248 264						
Rule R182: Occupation of space by regionally significant infrastructure or a structure owned by a network utility operator	248 264	•					
Rule R183: Renewal of existing resource consents for occupation of space by structures	248 264		•				
Rule R184: Occupation of space	248 264				•		
Surface water and foreshore activities	248 265						
Rule R185: General surface water and foreshore activities	248 265	•					
Rule R186: General surface water and foreshore activities	220 266			•			
Rule R187: General surface water and foreshore activities	220 267				•		
General disturbance activities	224 267						
Rule R188: Minor disturbances	224 267	•					
Rule R189: Clearance of stormwater pipes	224 268	•					
Rule R190: Motor vehicles for L aunching, retrieving or temporary mooring of vessels	222 272	•					
Rule R191: Disturbance associated with beach grooming	223 269	•					
Rule R192: Beach recontouring for coastal restoration purposes	223 270		•				

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
Rule R193: River and stream and lake mouth cutting	224 270	•					
Rule R194: Disturbance or damage	225 272				•		
Rule R195: Disturbance or damage inside sites of significance	226 272					•	
Motor vehicles on the foreshore	226 272						
Rule R196: Motor vehicles	226 273	•					
Rule R197: Motor vehicles for certain purposes	227 273	•					
Rule R198: Motor vehicles inside sites of significance	227 274					•	
Rule R199: Motor vehicles in the fossil forest at Titahi Bay	227 274						•
Dredging	228 274						
Rule R200: Dredging for flood protection purposes or erosion mitigation	228 274		•				
Rule R201: Dredging for flood protection purposes or erosion mitigation inside sites of significance	229 275				•	•	
Rule R202: Maintenance dredging outside a Commercial Port Area or navigation protection areas	229 276		•				
Rule R203: Dredging inside a Commercial Port Area or navigation protection areas	230 277				•		
All other Destruction, damage or disturbance or deposition	231 282						
Rule R204: Destruction, damage or disturbance or deposition outside sites of significance	231 282				•		
Rule R205: Destruction, damage or disturbance or deposition inside sites of significance	231 282					•	
Deposition	231 277						
Rule R206: Re-deposition of wind-blown sand	231 277	•					
Rule R207: Deposition for beach renourishment	232 278		•				
Rule R208: Deposition outside sites of significance	233 279				•		
Rule R209: Deposition inside sites of significance	233 279					•	
Dumping of waste or other matter	233 279						
Rule R210: Dumping of waste or other matter outside sites of significance	233 279				•		
Rule R211: Dumping or storage of waste or other matter outside sites of significance	234 280				•		
Rule R212: Dumping of waste or other matter inside sites of significance	234 280					•	
Rule R213: Incineration of waste	235 281						•
Reclamation and drainage	235 281						
Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance	235 281				•		

Rules – Coastal management (CM)	Page	P	C	RD	D	NC	Pr
Rule R215: Reclamation and drainage <u>inside of sites of significance</u>	235 <u>281</u>					•	
Destruction	<u>236-282</u>						
Rule R216: Destruction	236-282					•	
Introduction of plants	<u>236-283</u>						
Rule R217: Planting	<u>236-283</u>	•					
Rule R218: Planting	<u>236-283</u>				•		
Rule R219: Planting of pest species	237 <u>284</u>						•

5.7.1 Coastal management other methods



The Wellington Regional Council will promote sustainable management of the coastal marine area through Methods M1, M2, M3, M4, M6, M8, M12, M15, M20, M21, M22, M23, M24, M25, M26, M27 and M28.

5.7.2 Coastal management general conditions



Coastal management general conditions

Coastal management general conditions for activities in the coastal marine area that apply when specified in a rule.

Disturbance

- (a) the coastal marine area, including river mouths shall not be disturbed to an extent greater than that required to undertake the activity, and
- ~~(b) any disturbance of the foreshore or seabed is removed in 48 hours, and~~
- (c) there is no disturbance of the foreshore or seabed to a depth greater than 0.5m below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and unless the activity is for the replacement of an existing submarine telecommunications cable, in which case the depth of disturbance must be no greater than 2.0m, and
- (d) all machinery, equipment and materials used for the activity shall be removed from the foreshore or seabed at the completion of the activity, and

Discharges

- (e) There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan, and
- (f) The discharge of sediment to water from an activity in, on, over or under the foreshore or seabed in the coastal marine area shall meet the following:

- (i) the release of sediment associated with the activity shall not be undertaken for more than five consecutive days, and for more than 12 hours per day, and
- (ii) it shall not, after reasonable mixing, cause any conspicuous change in the colour of the water in the receiving water or any change in horizontal visibility greater than 30% more than 24 hours after the completion of the activity, and

Erosion and scouring

- (g) The activity shall not result in erosion or scouring of river banks (that are part of the coastal marine area) and shall not result in flooding of a neighbouring **property**, and

Diversion

- (h) No structure shall alter the natural course of a river (that is part of the coastal marine area), including any diversion of open coastal water during flood events, and

Note

Tree planting or **vegetative bank edge protection** works that are limited to the banks of a river and do not extend into the active channel are not considered to alter the course of the river for the purpose of this condition.

- (i) Any diversion of open coastal water undertaken as part of an activity shall only be temporary and for a period no longer than that required to complete the activity. All work shall be contained within the coastal marine area, and any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring **property**, and

Dumping

- (j) Demolition materials shall not be used for any purpose in the coastal marine area, and

Fish passage

- (k) Any structure constructed in the coastal marine area shall not impede ~~provide for~~ fish passage between coastal and fresh water habitat (including between fresh water and coastal water) at all times, unless a temporary restriction is required for construction activities, and

Inanga spawning

- (l) In any part of the coastal marine area (including any part of a river in the coastal marine area) identified as inanga spawning habitat in Schedule F1b (inanga spawning habitat), no disturbance of or deposition in, on or under the foreshore or seabed shall occur and no diversion of open coastal water or sediment discharge shall occur between 1 ~~March~~ January and 31 May, and

Design and maintenance of structures

- (m) Any structure (other than stormwater network structures) shall be designed and maintained so that it does not reduce the ability of the river (that is part of the coastal marine area) to convey flood flows, including the management of flood debris accumulated against the structure, and

Refuelling

- (n) No refuelling or cleaning of equipment shall take place on the foreshore or seabed in the coastal marine area (excluding vessels in the **Commercial Port Area**), and fuel storage shall not occur at a location where fuel can enter coastal water, and

Lighting and glare

- (o) All exterior lighting shall be managed to avoid the spill of light or glare that is:
- (i) a hazard to traffic safety on streets outside the coastal marine area, and
 - (ii) a hazard to navigation in the coastal marine area,
- unless the lighting is necessary for public safety reasons or **operational requirements**, and

Noise in the coastal marine area

- (p) Noise from activities located outside the **Commercial Port Area** shown on Map 32, Map 33 and Map 34 and the **Lambton Harbour Area** (Northern Zone) shown on Map 32 in the coastal marine area shall meet the following noise standards:
- (i) the activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991) outside the coastal marine area, and
 - (ii) between the hours of 7.00am and 11.00pm, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 55dB(A), and
 - (iii) between the hours of 11.00pm and 7.00am, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 45dB(A), and
 - (iv) single events of noise shall not exceed an Lmax sound level of 75dB(A), and
 - (v) noise shall be measured and assessed in accordance with *NZS 6802:2008 Acoustics – Environmental Noise*, and

- (vi) any construction activities shall meet standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
- (vii) helicopter landing areas shall meet the standards specified for residential areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and

conditions (i) to (iv) shall not apply to the following:

- (viii) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves, or
- (ix) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or minimise or prevent environmental damage, or
- (x) commercial firework displays, and

conditions (ii) to (iv) shall not apply to temporary military training activities undertaken for defence purposes. Noise emission as a result of temporary military training measured on a line 20m from and parallel to the facade of any dwelling used for accommodation or the legal boundary where this is closer to the dwelling or building shall meet the following:

- (xi) for all activities excluding the use of explosives:

Time (any day)	Limits (dB(A))	
	L _{eq}	L _{max}
0000 – 0630	45	75
0630 – 0730	60	75
0730 – 1800	75	90
1800 – 2000	70	85
2000 – 2400	45	75

- (xii) for activities involving the use of explosives: 122dB(C) during daylight hours, and

- (q) Noise from **port-related activities** located within the **Commercial Port Area** shown on Map 32, Map 33 and Map 34 and the **Lambton Harbour Area (Northern Zone)** shown on Map 32 shall comply with the following noise standards:

- (i) the activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991) outside the coastal marine area, and

- (ii) noise shall be measured in accordance with the requirements of *NZS 6801:2008 Acoustics – Measurement of environmental sound* and *NZS 6809:1999 Port noise management and land use planning*, and
- (iii) noise from **port-related activities** in a **Commercial Port Area** and the part of the **Lambton Harbour Area** shown on Map 32 shall not exceed the following at or beyond the **Port Noise Control Line** as shown on Map 32, Map 33 and Map 34, and

Time (any day)	Limits (dB(A))		
	L _{dn}	L _{max}	L _{eq}
Any 5 consecutive 24 hour periods	65	-	-
Any 24 hour period	68	-	-
10pm – 7am		85	60 (9hr) 65 (15mins)

- (iv) CentrePort shall undertake a noise monitoring programme to ensure that noise from **port-related activities** comply with limits in (q)(iii) at the **Port Noise Control Line** as shown on Map 32, Map 33 and Map 34. This monitoring will be undertaken in accordance with the *Port Noise Management Plan for CentrePort Limited* (Dec 2008) and the information shall be reported to the Wellington Regional Council, and

conditions (q)(i), (q)(iii) and (q)(iv) shall not apply to the following:

- (v) noise generated by navigational aids, safety signals, warning devices or emergency pressure relief valves, and
 - (vi) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or minimise or prevent environmental damage, and
 - (vii) noise generated by construction activities which shall meet the standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
 - (viii) noise generated by helicopter landing areas which shall meet the standards specified for commercial areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and
- (r) The following noise standards shall only apply to activities in the **Commercial Port Area** at Seaview Wharf shown on Map 34 that are controlled by a rule in this Plan, are located in the coastal marine area and refer to the coastal marine area general conditions within the rule:

- (i) the activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991) outside the coastal marine area at the nearest residential area boundary, and
- (ii) the noise level measured at any point on the nearest residential area boundary shall not exceed:

Time (any day)	Limits	
	L _{eq}	L _{max}
7am – 11pm	60 dB(A)	-
11pm – 7am	45 dB(A)	75 dB(A)

- (iii) noise shall be measured in accordance with *NZS 6801:2008 Acoustics – Measurement of environmental sound*. Corrected levels shall be determined in accordance with *NZS 6802:2008 Acoustics – Environmental Noise*, and

conditions (r)(i) and (r)(ii) shall not apply to the following:

- (iv) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves, and
 - (v) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or minimise or prevent environmental damage, and
 - (vi) noise generated by construction activities which shall meet the standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
 - (vii) noise generated by helicopter landing areas which shall meet the standards specified for Commercial areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and
- (s) Habitable rooms in buildings containing **noise sensitive activities** in a **Commercial Port Area**, the **Lambton Harbour Area** and the **Lambton Harbour Area** (Northern Zone), shown on Map 32, Map 33 and Map 34, shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:

Area	Planning Map	Performance standard
Commercial Port Area	Map 32, Map 33, Map 34	$D_{nT,w} + C_{tr} > 35$ dB
Lambton Harbour Area (Northern Zone)	Map 32	$D_{nT,w} + C_{tr} > 35$ dB

Area	Planning Map	Performance standard
Lambton Harbour Area	Map 32 (excluding northern zone)	$D_{nT,w} + C_r > 30$ dB

- (t) Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5L/s per person. The required airflow level is based on the minimum standard for habitable spaces set out in *NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality*, and

Port Noise Management Plan

- (u) CentrePort shall at all times operate in accordance with the *Port Noise Management Plan for CentrePort Ltd (December 2008)*.

5.7.3 Maintenance, repair, additions and alterations to existing structures

Rule R149: Maintenance or repair of structures – permitted activity

The maintenance or repair of a structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the maintenance and repair of the structure is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing utility services, electric or aerial telecommunications cables/conductors/pipelines where these activities will not result in increases in design voltage and the new or altered cables/conductors/pipelines will not be lower in height above the foreshore or seabed), and

- ~~(g) for structures identified in Schedule E1 (heritage structures), the materials used for maintenance and repair of the structure or match the existing structures in, form and appearance, and~~

- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

Repainting is permitted by this rule ~~and this rule applies to structures listed in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) and Schedule E3 (navigation aids) and structures in the Commercial Port Area.~~

This rule applies to all existing coastal marine area structures, including seawalls, navigation aids and port structures except those heritage structures identified in Schedules E1-E3 (in which case R168 applies)

Rule R150: Minor additions or alterations to structures – permitted activity



The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- ~~(f) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and~~
- (g) there is no change in the use of the structure, and
- (h) the structure is not a **seawall**, and
- (i) the structure is not in the **Commercial Port Area**, and
- (j) the minor addition or alteration shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, and
- ~~(k) when altering the depth or width of a **stormwater** pipe, any excavations do not excavate any deeper or wider than the original grade or cross section of the **stormwater** pipe channel, unless the widening or deepening is for the purpose of constructing a sediment retention trap, and~~

- (l) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

Rule R173 and Rule R174 applies to additions and alterations in the **Commercial Port Area**.

Rule R151: Additions or alterations to structures – controlled activity



The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that are not permitted by Rule R149 or Rule R150, is a controlled activity, provided the following conditions are met:

- ~~(f) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and~~
- (g) the structure is not located within a **navigation protection area** shown on Map 49, or in an airport height restriction area shown on Map 50 and 51, and
- (h) there is no change in the use of the structure, and
- (i) the structure is not a **seawall**, and
- (j) the structure is not in the **Commercial Port Area**, and
- (k) the addition shall add no more than 10m horizontal projection and 3m vertical projection to the structure as it existed on the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (l) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. The use of the structure
2. Effects on public access

3. Effects on public open space and visual amenity
4. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
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 J (geological features) ~~or Schedule K (surf breaks)~~

Notification

In respect of Rule R151 applications are precluded from public notification (unless special circumstances exist).

Note

Rule R173 and Rule R174 applies to additions and alterations in the **Commercial Port Area**.

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

5.7.4 Removal or demolition of structures

Rule R152: Removal or demolition of structures or part of a structure – permitted activity



The removal or demolition of a structure or part of a structure in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants, and
- (d) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (e) ~~the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and~~
- (f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (g) the removal or demolition shall not disturb more than 10m³ of the foreshore or seabed, and
- (h) the structure or part of the structure, is completely removed from the coastal marine area, except for structures within the Commercial Port Area, and

- (i) no explosives shall be used in the removal or demolition, and
- (j) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
 - (i) the Wellington Regional Council Harbourmaster, and
 - (ii) Maritime New Zealand, and
- (k) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R153: Removal or demolition of a structure or part of a structure – restricted discretionary activity 

The removal or demolition of a structure or part of a structure in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants, and
- (d) diversion of open coastal water

that is not permitted by Rule R152 and is not a discretionary activity under Rule R172 or Rule R166, or non-complying under Rule R162 is a restricted discretionary activity.

Matters for discretion

1. Effects on public access
2. Effects on public open space and visual amenity
3. Effects of disturbance, deposition, discharge and diversion associated with the removal
4. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats)
5. Lighting and noise
6. Navigational safety including the notification of the Wellington Regional Council Harbourmaster and Maritime New Zealand

5.7.5 New and replacement structures (including temporary structures)

Rule R154: New temporary structures outside sites of significance – permitted activity 

The placement of Aa new **temporary structure** and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure is outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), and
- (g) the structure is outside a **navigation protection area** shown on Map 49, or airport height restriction areas shown on Maps 50 and 51, and
- (h) the structure shall be maintained in a safe condition at all times, and
- (i) the entire structure shall be removed after use, and
- (j) if the structure is on a wharf identified in Schedule E2 (wharves and boatsheds), the **temporary structure** shall not cause permanent physical damage to the wharf, and
- (k) the structure shall not include advertising or marketing signage, and
- (l) the structure shall not cause a hazard to navigation, and
- (m) the structure shall not be in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal, and
- (n) the structure shall not prevent public access to and along the foreshore, and
- (o) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
 - (i) the Wellington Regional Council Harbourmaster, and
 - (ii) Maritime New Zealand,
- (p) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R155: New temporary structures – restricted discretionary activity



The placement of Aa new **temporary structure** and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R154 is a restricted discretionary activity.

Matters for discretion

1. Use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
6. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)
7. Effects on the heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)
8. Lighting and noise
9. The structural integrity and condition of the structure
10. Navigational safety including the notification of the Wellington Regional Council Harbourmaster and Maritime New Zealand

Rule R156: New or replacement navigation aids – permitted activity



The placement of Aa new or replacement navigational aid and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and

- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

~~(f) the navigation aid is not listed in Schedule E3 (navigation aids), and~~

- (g) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
 - (i) the Wellington Regional Council Harbourmaster, and
 - (ii) Maritime New Zealand, and
 - (iii) Land Information New Zealand, and
- (h) the navigational aid shall be maintained in a structurally safe condition at all times, and
- (i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R157: New or replacement structures for special purposes – controlled activity



The placement of Aa new structure or the replacement of a structure for scientific, research, monitoring and education purposes and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (f) ~~the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and~~
- (g) the activity is not inside a site identified in Schedule E4 (archaeological sites) or Schedule J (geological features), and
- (h) the structure is outside a **navigation protection area** identified on Map 49, and

- (i) there is no change in use of the structure, and
- (j) the structure does not exceed an area of 2m² or a vertical projection of 2m, and
- (k) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. Use of the structure
2. Effects on public access
3. Effects of disturbance, deposition, discharge and diversion associated with construction
4. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
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)~~.
6. Lighting and noise mitigation methods

Notification

In respect of Rule R157, applications are precluded from public notification (unless special circumstances exist).

Rule R158: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes – discretionary activity



The placement of Aa new structure including a **temporary structure** or addition or alteration to a structure and the associated use of the structure:

- (a) in a **navigation protection area** shown on Map 49, or
- (b) within an airport height restriction area shown on Map 50 or Map 51,

including any associated:

- (c) occupation of space in the **common marine and coastal area**, and
- (d) disturbance of the foreshore or seabed, and
- (e) deposition in, on or under the foreshore or seabed, and
- (f) discharge of contaminants, and
- (g) diversion of open coastal water

is a discretionary activity, provided the following conditions are met:

- (h) in respect of condition (a), written approval is given by the relevant airport authority, and
- (i) in respect of condition (b), written approval is given by the Wellington Regional Council Harbourmaster.

Rule R159: Structures in airport height restriction areas or navigation protection areas – prohibited activity



The placement of Aa new structure including a **temporary structure** or addition or alteration to a structure (excluding navigation aids, cables and pipelines fixed to the seabed) and the associated use of the structure in a **navigation protection area** shown on Map 49 or within an airport height restriction area shown on Map 50 or Map 51, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a discretionary activity under Rule R158, is a prohibited activity.

Rule R160: New structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone and adjacent foreshore, and inside a mana whenua sites of significance – discretionary activity



The placement of Aa new structure and the associated use of the structure and disturbance associated with **motor vehicles** in the coastal marine area:

- (a) specific to the National grid, and
- (b) ~~related to the Cook Strait Cable within~~ inside the Cook Strait Cable Protection Zone shown on Map 52, and adjacent foreshore, and
- (c) inside a site of significance identified in Schedule C (mana whenua),

including any associated:

- ~~(a)~~(d) occupation of the **common marine and coastal area**, and
- ~~(b)~~(e) disturbance of the foreshore or seabed, and
- ~~(c)~~(f) deposition in, on or under the foreshore or seabed, and
- ~~(d)~~(g) discharge of contaminants, and
- ~~(e)~~(h) diversion of open coastal water

that is not permitted controlled by Rule R157 is a discretionary activity.

Rule R161: New structures, additions or alterations to structures outside sites of significance – discretionary activity

The placement of Aa new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R156, Rule R175, Rule R176, or controlled by Rule R151 or Rule R157 or Rule R174 or restricted discretionary under Rule R155 or prohibited under Rule R159 is a discretionary activity.

Rule R162: New structures, additions or alterations to structures inside sites of significance – non-complying activity

The placement of Aa new structure, addition or alteration to a structure and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R156, Rule R175, Rule R176 or a controlled activity under Rule R151, Rule R157 and Rule R174, or a restricted discretionary activity under Rule R155 or a discretionary activity under Rule R160, or prohibited under Rule R159 is a non-complying activity.

Rule R163: Replacement of structures or parts of structures – permitted activity

The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the replacement structure has a **functional need** or **operational requirement** to be located in the coastal marine area, and
- (g) the structure is not a **seawall** (excluding revetments or those **seawalls** protecting wharves within a **Commercial Port Area**), and
- (h) there is no change in the use of the structure, and
- (i) the replacement structure is built in the same or similar location as the original structure, and
- (j) the replacement structure has the same or lesser footprint as the original structure, and
- (k) the replacement structure maintains the form of the original structure and there is no increase in the length, width or height, and
- (l) the replacement structure is not inside a site or habitat identified in Schedule C (mana whenua), ~~Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids),~~ Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) excluding those structures for scientific, research or education purposes that will enhance the understanding and long term protection of the coastal marine area, and
- (m) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R164: Replacement of structures or parts of structures – restricted discretionary activity



The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and

- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by [Rule R149](#), [Rule R152](#), Rule R156 or Rule R163 or a controlled activity by Rule R157, is a restricted discretionary activity, ~~provided the following conditions are met:~~

- (f) ~~the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids).~~

Matters for discretion

1. The use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)
6. Light and noise
7. Effects on shoreline stability in the vicinity and nearby areas

5.7.6 Seawalls

Rule R165: Additions or alterations to, or replacements of, existing seawalls – controlled activity



The addition or alteration to, or replacements of, an existing **seawall** and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (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 [31](#)

~~July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015),~~

- (g) the addition shall not extend any further seaward than the existing seawall, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. Effects on public access
2. Design and construction
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
4. 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)~~
5. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)

Rule R166: Seawalls outside sites of significance – discretionary activity



The placement of Aa 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a controlled activity under Rule R165 is a discretionary activity.

Rule R167: Seawalls inside sites of significance – non-complying activity



The placement of Aa 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a controlled activity under Rule R165 or a discretionary activity under Rule R166, is a non-complying activity.

5.7.7 Heritage structures

Rule R168: Maintenance or repair or Aalteration of structures in Schedule E1, E2, and E3 – permitted activity

The maintenance or repair or alteration of a structure identified in Schedule E1 (heritage structures), E2 (wharves and boatsheds) or E3 (navigation aids) in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- ~~(e) — the alteration is contained within the form of the existing structure and there is no increase in the length, width, or height of the existing structure, and~~
- ~~(f)(e)~~ for structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) and Schedule E3 (navigation aids), the materials used for maintenance or repair or alteration of the structure shall use the same materials, or the altered components should be of similar materials as the original it replaces in texture, form profile, design and appearance, and
- ~~(f)~~ any alteration is contained within the form of the existing structure and there is no increase in length, width, height of the existing structure, and
- (g) the number of components altered should be substantially less than existing number of components, and
- (h) the alteration does not include the removal, relocation, partial or total demolition of any structure, and

- (i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

Repainting is permitted by this rule.

Rule R169: Additions or alterations to structures identified in Schedule E1 or Schedule E2– restricted discretionary activity



The addition or alteration to a structure identified in Schedule E1 (heritage structures), or Schedule E2 (wharves and boatsheds), and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R168, is a restricted discretionary activity, provided the following conditions are met:

- (e) the structure is not a **seawall**, and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters for discretion

1. Use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition and discharge associated with construction
5. Effects on the historic heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)
6. Lighting and noise
7. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas

Note

Additions or alterations to **seawalls** are either a controlled activity under Rule R165, a discretionary activity under Rule R166 or a non-complying activity under Rule R167.

Rule R170: Additions to structures identified in Schedule E3 – permitted activity

The addition to a structure identified in Schedule E3 (navigation aids), and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) the addition is for navigation safety or the efficiency of its operation, and
- (f) the addition shall add no more than 3m in horizontal projection and 2m in vertical projection to the structure as it existed on 31 July 2015 ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R171: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3– discretionary activity

The addition or alteration to a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), or Schedule E3 (navigation aids) and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R168 or Rule R170 discretionary activity under Rule R169 is a discretionary activity.

Rule R172: Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity

The removal, demolition or replacement of a structure or part of a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) or Schedule E6 (Lambton Harbour

Heritage Area) and the associated use of a structure in the coastal marine area, including any associated:

- (a) occupation of space in the common marine and coastal area, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by [Rule R152](#), [Rule R165](#), Rule R168, [Rule R149](#), ~~or~~ Rule R170 or R173, or controlled under Rule R157 ~~or Rule R165~~, or ~~discretionary restricted~~ [restricted discretionary](#) under Rule R153, [R169](#), or [R173](#) is a discretionary activity

5.7.8 Structures in the Commercial Port Area

Rule R173: [Maintenance or repair or](#) ~~A~~additions or alterations to structures inside a Commercial Port Area – permitted activity 

The [maintenance or repair or](#) addition or alteration to a structure inside a **Commercial Port Area** shown on Map 32, Map 33 and Map 34 and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the common marine and coastal area, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (g) the [maintenance or repair or](#) addition and alteration shall add no more than 30m horizontal projection and 10m vertical projection to the structure, as it existed on the date of [31 July 2015 public notification of the Proposed Natural Resources Plan \(31.07.2015\)](#), ~~and~~
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R174: [Maintenance or repair or](#) ~~A~~additions or alterations to structures inside a Commercial Port Area – controlled activity 

The [maintenance or repair or](#) addition or alteration to a structure inside a **Commercial Port Area** shown on Map 32, Map 33 and Map 34 and the

associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by [Rule R149](#) or Rule R173 is a controlled activity, provided the following conditions are met:

- ~~(f) the structure is not identified in Schedule E2 (wharves and boatsheds), and~~
- ~~(g)(f)~~ the addition and alteration shall add no more than 50m horizontal projection and 20m vertical projection to the structure as it existed on the date of [31 July 2015 public notification of the Proposed Natural Resources Plan \(31.07.2015\)](#), and
- ~~(h)(g)~~ the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. Use of the structure
2. Lighting and noise mitigation methods
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
4. Effects of disturbance, deposition, discharge and diversion associated with the activity

Notification

In respect of Rule R174, applications are precluded from public notification (unless special circumstances exist).

Rule R175: New structures associated with passenger and cargo handling inside the Commercial Port Area – permitted activity



[The placement of Aa](#) new structure associated with passenger handling (for the transfer of passengers, crews and other persons) or cargo handling and the associated use of the structure inside a **Commercial Port Area** shown on Map 32, Map 33 and Map 34 in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and

- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure shall not exceed a height of 27m, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

5.7.9 Boatsheds and swing moorings

Rule R176: Use of boatsheds – permitted activity



The use of a boatshed in the coastal marine area, for water based activities that require a coastal location, is a permitted activity, provided the following condition is met:

- (a) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R177: Change of use of boatsheds – non-complying activity



The change in use of a boatshed in the coastal marine area to an activity that does not have a **functional need** to be in the coastal marine area, after the date of 31 July 2015 ~~public notification of the Proposed Natural Resources Plan (31.07.2015)~~, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a non-complying activity.

Notification

In respect of Rule R177, applications must be publicly notified.

Rule R178: New boatsheds inside Boatshed Management Areas – discretionary activity



The placement of Aa new boatshed inside a Boatshed Management Area shown on Map 31 and the associated use of the boatshed in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and

- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a discretionary activity.

Rule R179: New boatsheds outside Boatshed Management Areas – non-complying activity



The placement of Aa new boatshed outside a Boatshed Management Area shown on Map 31 and the associated use of the boatshed in the coastal marine area that is not a discretionary activity under Rule R178, is a non-complying activity.

Rule R180: New swing moorings inside Mooring Areas – permitted activity



The placement of Aa new swing mooring inside a Mooring Area shown on Map 36, Map 37, Map 38, Map 39, Map 40 or Map 41 and the associated use of the swing mooring in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) the mooring area has available mooring space, and
- (f) a mooring licence has been obtained from the Wellington Regional Council Harbourmaster, or a resource consent is held, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R181: New swing moorings outside Mooring Areas – non-complying activity



The placement of Aa new swing mooring outside a Mooring Area shown on Map 36, Map 37, Map 38, Map 39, Map 40 and Map 41 and the associated use of the swing mooring in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a non-complying activity.

Notification

In respect of Rule R181, applications ~~must be publicly notified~~ are precluded from public notification (unless special circumstances exist).

5.7.10 Occupation

Rule R182: Occupation of space by regionally significant infrastructure or a structure owned by a network utility operator – permitted activity 

The occupation of space in the **common marine and coastal area** by a structure existing before the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015) which is regionally significant infrastructure or owned by a network utility operator is a permitted activity.

Rule R183: Renewal of existing resource consents for occupation of space by structures – controlled activity 

The first renewal of an **existing resource consent** for the occupation of space by a structure in the **common marine and coastal area**, after the date of 31 July 2015 public notification of the Proposed Natural Resources Plan (31.07.2015) is a controlled activity.

Matters of control

1. Effects on public access
2. Effects on public open space and visual amenity

Notification

In respect of Rule R183, applications are precluded from public notification (unless special circumstances exist).

Rule R184: Occupation of space – discretionary activity 

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.

5.7.11 Surface water and foreshore activities

Rule R185: General surface water and foreshore activities – permitted activity 

General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) the activity is not inside the **Lambton Harbour Area** (including Northern Zone) shown on Map 32, and
- (f) if the activity includes occupation of space in the **common marine and coastal area** that excludes public access or navigation of ships:
 - (i) the area of occupation shall be less than 1ha, and
 - (ii) the activity shall comply with the Wellington Regional Council Navigation and Safety Bylaws Wellington Region 2009, and
 - (iii) the occupation shall not affect the operational requirement of emergency services including the coastguard, police and surf lifesaving, and
 - (iv) written notice shall be given five working days before work commences to:
 - a. the Wellington Regional Council Harbourmaster, and
 - b. Maritime New Zealand, and
 - c. the relevant territorial authority, and
 - (v) the duration of the activity in a 12 month period must not exceed:
 - a. for temporary military training activities, 30 days, and
 - b. for all other activities, seven days, and
- (g) if the activity will exclude public access or navigation of ships in the **common marine and coastal area** for more than 24 hours:
 - (i) the public shall be notified of the proposed activity and associated restrictions on use of the area, including via a public notice in local newspapers, at least 14 working days prior to the commencement of the activity, and
 - (ii) signs shall be placed at the location of the activity notifying the public of the event with dates, times, the activity proposed, any restrictions imposed on the use of the area and contact information of the organiser at least seven working days prior to the occupation commencing, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

Permission may be required from the relevant city or district council.

Any activities which disturb the foreshore or seabed within the Cook Strait Cable Protection Zone (shown in Map 52), including anchoring and fishing, has the potential to damage the Cook Strait Cables, and is required to comply with the Submarine Cables and Pipeline Protection Order 2009.

Rule R186: General surface water and foreshore activities – restricted discretionary



General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R185 is a restricted discretionary activity, provided the following conditions are met:

- (e) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters for discretion

1. Effects on public access
2. Effects on public open space and visual amenity
3. Use of the structure
4. Extent and exclusivity of the occupation of the **common marine and coastal area**
5. Navigation safety
6. Lighting and noise
7. Effects on a site or habitat identified in or using Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) ~~or Schedule K (surf breaks)~~
8. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)

Rule R187: General surface water and foreshore activities – discretionary activity



General surface water and foreshore activities in and the associated use of the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

not permitted by Rule R185 or restricted discretionary under Rule R186 is a discretionary activity.

5.7.12 General disturbance activities

Rule R188: Minor disturbances – permitted activity



The disturbance of the foreshore or seabed including any removal of sand, shingle, shell or other natural material in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (d) the activity shall not be inside a site or habitat identified in or using Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal) or Schedule J (geological features), and
- (e) no more than 0.1m³ of sand, shingle, shell or other natural material shall be taken by a person in a 12 month period, and
- (f) the removed natural material shall not be used for commercial gain, and
- (g) the area of excavation shall be smoothed over after the completion of the activity (e.g. no holes left on the foreshore), and
- (h) the extent of the foreshore or seabed disturbance is limited to that required to undertake the activity, and
- (i) no motorised excavation machinery shall be used to disturb or remove sand, shingle, shell or other natural material.

Note

While the removal of natural materials from a marine reserve (unless authorised for research purposes) is prohibited under the Marine Reserves Act

1971, a memorandum of understanding between the Department of Conservation and the Wellington City Council enables the removal of natural material (beach grooming) within Taputeranga Marine Reserve with particular conditions.

Rule R189: Clearance of stormwater pipes – permitted activity

The disturbance of the foreshore or seabed from the clearance of a **stormwater** pipe in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (d) the disturbance is undertaken by or for a local authority or a road controlling authority or is required for port maintenance, and
- (e) the extent of the foreshore or seabed disturbance is limited to that required to create a free-draining path from the **stormwater** outlet to the sea, and
- (f) the disturbance shall not prevent public access to or along the foreshore, and
- (g) all material excavated is retained within the **active beach** system except for visibly contaminated material. Any visibly contaminated material shall be removed from the beach system and disposed of appropriately, and
- (h) excavated material is not mounded, banded and/or deposited in a manner that creates ponding or the diversion of water on the foreshore or seabed, and
- (i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R191: Disturbance associated with beach grooming – permitted activity

The disturbance of the foreshore or seabed for beach grooming including any removal of sand, shingle, shell or other natural material in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants

on the following beaches:

Ōtaki, Te Horo, Peka Peka, Waikanae, Paraparaumu, Raumati, Paekakariki, Tītahi Bay (excluding the area of fossil forest shown on Map 35), Karehana Bay, Plimmerton, Browns Bay, Bradley Point, Motukaraka Point, Mana Foreshore, Onehunga Bay, Dolly Varden Beach, Pukerua Bay, Lyall Bay, Island Bay, Princess Bay, Worsler Bay, Scorching Bay, Oriental Bay, Freyberg, Petone, Point Howard, Sorrento Bay, Days Bay, Rona Bay, Castlepoint, Riversdale

is a permitted activity, provided the following conditions are met:

- (c) the beach grooming shall be carried out for the purpose of grooming and the removal of marine debris and litter, and
- (d) the activity shall be undertaken by or for a local authority, and
- (e) the activity shall not occur when shellfish beds are exposed, and
- (f) the activity shall not be within a site identified in Schedule C (mana whenua) or Schedule E4 (archaeological sites) or Schedule F4 (significant indigenous biodiversity values in the coastal marine area), except on Island Bay beach, and
- (g) the activity shall not be within the Tītahi Bay fossil forest shown on Map 35, and
- (h) the activity shall comply with the coastal management general conditions specified above in section 5.7.2.

Note

While the removal of natural materials from a marine reserve (unless authorised for research purposes) is prohibited under the Marine Reserves Act 1971, regulation 7 of the Marine Reserves (Taputeranga) Order 2008 a memorandum of understanding between the Department of Conservation and Wellington City Council enables a local authority to remove beach cast seaweed and debris after a storm beach grooming within Taputeranga Marine Reserve with particular conditions.

Rule R192: Beach recontouring for coastal restoration purposes – controlled activity



The disturbance of the foreshore or seabed for **beach recontouring** in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants

is a controlled activity, provided the following conditions are met:

- (c) the activity forms part of a **coastal restoration plan**, and
- (d) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. Timing of the activity associated with coastal fauna
2. Volume of material removed
3. Effects of disturbance, deposition, discharge and diversion associated with the activity
4. Effects on shoreline stability (including dunes and nearshore) and the potential to create a coastal inundation hazard
5. Effects on the heritage values of structures and sites identified in Schedule E1 (heritage structures) or Schedule E4 (archaeological sites)
6. 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)~~

Notification

In respect of Rule R192, applications are precluded from public notification (unless special circumstances exist).

Rule R193: River, ~~and~~ stream and lake mouth cutting – permitted activity



The disturbance of the foreshore or seabed for river, ~~and~~ stream and lake mouth cutting in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- ~~(b)~~ discharge of contaminants, and
- ~~(e)~~(b) diversion of open coastal water, and
- ~~(d)~~(c) discharge of contaminants for the following rivers and lakes:
 - ~~(e)~~(d) Waitohu Stream, Ōtaki River, Mangaone Stream, Waimeha Stream, Waikanae River, Hadfield Drain, Wharemauku Stream, Whareroa Stream, Wainui Stream, Waikakariki Stream, Makara Stream, Motuwaikeka Stream, Castlepoint Stream, Whakataki River, Tikotu Stream, and
 - ~~(f)~~(e) Lake Kohangapiripiri, Lake Kohangatera and Lake Onoke, and
 - ~~(g)~~(f) an unnamed stream approximately 190m south of the seaward end of Sunrise Way, Riversdale, and
 - ~~(h)~~(g) an unnamed stream approximately 145m north of the seaward end of Sunrise Way, Riversdale, and
 - ~~(i)~~(h) an unnamed stream at the seaward end of Karaka Drive, Riversdale

is a permitted activity, provided the following conditions are met:

- ~~(j)~~(i) the activity shall be carried out for the purposes of flood protection and/or erosion mitigation, and
- ~~(k)~~(j) the activity shall only be carried out by or for a local authority, and
- ~~(l)~~(k) the activity is only undertaken when the trigger level defined in Schedule U (river mouth cutting) is equalled or exceeded, and
- ~~(m)~~(l) the foreshore shall not be mechanically disturbed to a depth greater than required to divert stream flow, and
- ~~(n)~~(m) the activity shall not prevent public access to or along the foreshore (this condition shall not apply to any restrictions on access arising from water flowing in any outlet channel), and
- ~~(o)~~(n) any material excavated shall be placed on the immediately adjacent foreshore area, and no material shall be removed from the site unless the material is contaminated and/or it contains **hazardous substances**, and
- ~~(p)~~(o) for activities undertaken in the mouths of either Lake Kohangapiripiri or Lake Kohangatera, any cutting operation shall be in accordance with the *Wellington Regional Council Parangarahu Lakes Area Co-Management Plan (August 2014)*, and
- ~~(q)~~(p) for activities undertaken in the Lake Onoke mouth, the mechanical opening shall not occur during the period 1 February to 31 May (inclusive) each year without notification to a nominated representative (or in their absence, a nominated deputy) from the Tuhirangi Marae, and
- ~~(r)~~(q) for activities undertaken in the Waikanae River, the Department of Conservation shall be notified at least two working days prior to the commencement of the cutting operation, and
- ~~(s)~~(r) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

~~Rule R194: Disturbance or damage—discretionary activity~~ 

~~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:~~

- ~~(a) deposition in, on or under the foreshore or seabed, and~~
- ~~(b) discharge of contaminants~~

~~that is not permitted by Rule R188, Rule R191 or Rule R193 is a discretionary activity.~~

Note

~~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.~~

~~Rule R195: Disturbance or damage inside sites of significance – non-complying activity~~



~~Disturbance or damage of the foreshore or seabed 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:~~

- ~~(a) — occupation in the **common marine and coastal area**, and~~
- ~~(b) — deposition in, on or under the foreshore or seabed, and~~
- ~~(c) — discharge of contaminants~~

~~that is not permitted by Rule R191 or Rule R193 or a controlled activity under Rule R192, is a non-complying activity.~~

Note

~~Rule R195 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 or Rule R212.~~

5.7.13 Motor vehicles on the foreshore

Rule R190: Motor vehicles for launching, retrieving or temporary mooring of vessels – permitted activity



The disturbance of the foreshore or seabed from a motor vehicle associated with the launching, retrieval or temporary mooring of a vessel in the coastal marine area is a permitted activity, provided the following conditions are met:

- (a) a boat ramp shall be used if available at the locality, and
- (b) the activity shall not be undertaken on any exposed Tītahi Bay fossil forest shown on Map 35, and
- (c) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

Marine Reserves Regulations 1993 provide for anchoring and use of vessels in a marine reserve (section 5 and 6 respectively). Anchoring is only permitted on the condition that no damage occurs, or that damage is kept to a minimum practical level. The Marine Reserves Act 1971 (section 23) provides for anchoring anywhere within a marine reserve in times of stress or emergency.

Rule R196: Motor vehicles – permitted activity



The disturbance of the foreshore from **motor vehicles**, other than those permitted by R190, in the coastal marine area is a permitted activity, provided the following conditions are met:

- (a) the activity is not within the area of Tītahi Bay shown on Map 35, and
- (b) the activity is not within a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features).

Note

Permission may be required from the relevant city or district council.

Rule R197: Motor vehicles for certain purposes – permitted activity



The disturbance of the foreshore or seabed from **motor vehicles** in the coastal marine area, for the following purposes:

- (a) surf lifesaving operations, or
- (b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or
- (c) local authority activities, including law enforcement, or
- (d) activities carried out by or on behalf of the Department of Conservation, or
- ~~(e)~~(e) the maintenance, **upgrade** and operation of **regionally significant infrastructure**

is a permitted activity, provided the following conditions are met:

- ~~(e)~~(f) the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and
- ~~(f)~~(g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R198: Motor vehicles inside sites of significance – non-complying activity



The disturbance of the foreshore or seabed from **motor vehicles** inside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, that is not permitted by Rule R190, Rule R196 or Rule R197 or prohibited under Rule R199, is a non-complying activity.

Rule R199: Motor vehicles in the fossil forest at Titahi Bay – prohibited activity

The disturbance of the foreshore or seabed from **motor vehicles** within the following areas at Titahi Bay in the coastal marine area:

- (a) part of the foreshore shown on Map 35 as containing remnants of fossilised forest, and
- (b) any part of the remaining foreshore where any fossil forest is exposed

that is not permitted activity under Rule R189, Rule R190, Rule R192, Rule R196 or Rule R197 or non-complying under Rule R198, is a prohibited activity.

Note

Rule R190 provides for the disturbance of the foreshore or seabed (associated with the use of a motor vehicle) on Titahi Bay Beach to launch, retrieve or temporarily moor a vessel as a permitted activity.

5.7.14 Dredging

Rule R200: Dredging for flood protection purposes or erosion mitigation – controlled activity

Destruction, damage, ~~and~~ disturbance and deposition associated with dredging of the foreshore or seabed for flood protection purposes or erosion mitigation in a river or stream mouth in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (d) the activity shall be carried out by or for a local authority, and
- (e) the activity shall not occur in Te Awa Kairangi/Hutt River, and
- (f) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), and
- (g) for dredging in the Waikanae River, the Department of Conservation is notified, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, excluding condition (b).

Matters of control

1. Effects on public access

2. Method of dredging
3. Frequency, volume and timing of disturbance and removal
4. Quality, nature and composition of the material to be disturbed and removed including the potential presence of contaminants
5. 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
6. Effects on sites or habitats identified in Schedule F2c (bird-coastal), Schedule F2a (birds-rivers) ~~or Schedule K (surf breaks)~~

Notification

In respect of Rule R200, applications are precluded from public notification (unless special circumstances exist).

Note

Rule R200 controls the destruction, 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 or Rule R212.

Rule R201: Dredging for flood protection purposes or erosion mitigation inside sites of significance – discretionary non-complying activity 

Destruction, damage, ~~or~~ disturbance or deposition associated with dredging for flood protection purposes or erosion mitigation 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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a discretionary non-complying activity.

Note

Rule R201 controls the destruction, 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 or Rule R212.

Rule R202: Maintenance dredging outside a Commercial Port Area or navigation protection areas – controlled activity 

Destruction, damage, ~~or~~ disturbance or deposition associated with maintenance dredging outside a **Commercial Port Area** shown on Map 32, Map 33 and

Map 34 or a **navigation protection area** shown on Map 49, in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (d) the activity shall comply with any related current resource consent conditions and the area of the coastal marine area that this consent(s) specifies, and
- (e) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (e)(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, excluding condition (b).

Matters of control

1. Method of dredging
2. Depth of any dredging including that which occurs in the Hutt Valley Aquifer Zone in the Wellington Harbour (Port Nicholson) shown on Map 30
3. 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
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on sites ~~and habitats~~ identified in ~~Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats),~~ Schedule J (geological features) ~~or Schedule K (surf breaks)~~
6. Effects on the heritage values of sites identified in Schedule E4 (archaeological sites)
7. Navigational safety and charting including notification of Land Information New Zealand, the Wellington Regional Council Harbourmaster and Maritime New Zealand

Notification

In respect of Rule R202, applications are precluded from public notification (unless special circumstances exist).

Note

Rule R202 controls the destruction, 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 Rules R210, Rule R211 or Rule R212.

Rule R203: Dredging inside a Commercial Port Area or navigation protection areas – discretionary activity



Destruction, damage, ~~or~~ disturbance or deposition associated with dredging inside the **Commercial Port Area** shown on Map 32, Map 33 and Map 34 or in a **navigation protection area** shown on Map 49, in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a discretionary activity.

Note

Rule R203 controls the destruction, 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 or Rule R212.

5.7.15 Deposition

Rule R206: Re-deposition of wind-blown sand – permitted activity



The re-deposition of wind-blown sand into the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (c) the sand is free of contaminants and includes no litter, and
- (d) the sand has been derived from the beach where it is to be deposited, and
- (e) the sand is not removed from sand dunes, and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Rule R207: Deposition for beach renourishment – controlled activity



The deposition of sand, shingle, shell or other naturally occurring coastal material for beach renourishment in, on or under the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a controlled activity provided the following conditions are met:

- (c) the deposition is for the purpose of managing beach or shoreline erosion or improving the amenity value of the foreshore, and
- (d) the deposition is undertaken by, or for, a local authority, and
- (e) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Matters of control

1. Type and composition of the material to be used including its size, roundness, shape and colour
2. Volume of material to be deposited
3. Effects of disturbance, deposition, discharge and diversion associated with the activity
4. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
5. Effects on sites or habitats identified in Schedule C (mana whenua), Schedule F2c (birds–coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) ~~and Schedule K (surf breaks)~~
6. Measures to manage the loss of the deposited material through wind or water erosion
7. Navigational safety and charting including notification of Land Information New Zealand and Maritime New Zealand

Notification

In respect of Rule R207 applications are precluded from public notification (unless special circumstances exist).

~~Rule R208: Deposition outside sites of significance – discretionary activity~~



~~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:~~

~~(a) disturbance of the foreshore or seabed, and~~

~~(b) discharge of contaminants~~

~~that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.~~

~~Rule R209: Deposition inside sites of significance – non-complying activity~~



~~Deposition inside sites and habitats 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:~~

~~(a) disturbance of the foreshore or seabed, and~~

~~(b) discharge of contaminants~~

~~that is not a permitted activity under Rule R206 or a controlled activity under Rule R207 or a discretionary activity under Rule R208, is a non-complying activity.~~

5.7.16 Dumping of waste or other matter

Rule R210: Dumping of waste or other matter outside sites of significance – discretionary activity



The dumping of:

- (a) dredge material, and
- (b) sewage **sludge**, and
- (c) fish processing waste from an onshore facility, and
- (d) ships and platforms or other man-made structures at sea, and
- (e) inert, inorganic geological material, and
- (f) organic materials of natural origin, and
- (g) bulky items consisting mainly of iron, steel, and concrete

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:

(h) disturbance of the foreshore or seabed, and

- (i) discharge of contaminants

is a discretionary activity.

Rule R211: Dumping or storage of waste or other matter outside sites of significance – discretionary activity 

The dumping or storage of waste or other matter arising directly from, or related to, the exploration, exploitation, and associated offshore processing of, seabed mineral resources in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a discretionary activity, provided the following condition is met:

- (c) the activity shall not occur inside 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).

Rule R212: Dumping of waste or other matter inside sites of significance – non-complying activity 

The dumping of:

- (a) dredge material, and
- (b) sewage **sludge**, and
- (c) fish processing waste from an onshore facility, and
- (d) ships and platforms or other man-made structures at sea, and
- (e) inert, inorganic geological material, and
- (f) organic materials of natural origin, and
- (g) bulky items consisting mainly of iron, steel, and concrete
- (h) from a ship, aircraft or offshore installation or dredging activity inside 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:
 - (i) disturbance of the foreshore or seabed, and
 - (j) discharge of contaminants

that is not a discretionary activity under Rule R210 or Rule R211 or is not a prohibited activity under Rule R213, is a non-complying activity.

Rule R213: Incineration of waste – prohibited activity



The dumping of incineration of waste or other matter in any marine incineration facility in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

that is not a discretionary activity under Rule R210 or Rule R211 or a non-complying activity under Rule R212, is a prohibited activity.

5.7.17 Reclamation and drainage

Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity



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.

Rule R215: Reclamation and drainage inside of sites of significance – non-complying activity



Reclamation and drainage 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
- (f) diversion of open coastal water

that is not a discretionary activity under Rule R214 is a non-complying activity.

1.1.2 Destruction

Rule R216: Destruction – non-complying activity

~~The destruction of the foreshore or seabed in the coastal marine area including any associated:~~

- ~~(a) disturbance of the foreshore or seabed, and~~
- ~~(b) deposition in, on or under the foreshore or seabed, and~~
- ~~(c) discharge of contaminants, and~~
- ~~(d) diversion of open coastal water~~

~~is a non-complying activity.~~

5.7.18 All other destruction, damage, or disturbance or deposition

Rule R204: Destruction, damage, ~~or~~ disturbance or deposition outside sites of significance – discretionary activity

Destruction, damage, ~~or~~ disturbance or 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 the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.

Rule R205: Destruction, damage, ~~or~~ disturbance or deposition inside sites of significance – non-complying activity

Destruction, damage, ~~or~~ disturbance or deposition inside 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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

that is not permitted, controlled, restricted discretionary, discretionary or prohibited, is a non-complying activity.

5.7.19 Introduction of plants

Rule R217: Planting – permitted activity



The introduction or planting of any plant species in the coastal marine area including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (d) the plant species shall not be identified in the *National Pest Plant Accord 2012*~~3~~ or in the *Greater Wellington Regional Pest Management Strategy 2002-2022*, and
- (e) the plant species planted shall be native species that naturally grow in the area planting occurs, and
- ~~(e)~~(f) there is no planting in sites identified in Schedule E4 (archaeological sites), and
- ~~(f)~~(g) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.

Note

The Wellington Regional Council will provide advice on its website and upon request regarding appropriate species to plant.

Rule R218: Planting – discretionary activity



The introduction or planting of any plant species in the coastal marine area including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants

that is not a permitted under Rule R217 or is not a prohibited activity under Rule R219, is a discretionary activity.

Rule R219: Planting of pest species – prohibited activity



The introduction or planting of a pest plant species identified in the *National Pest Plant Accord 2012*~~3~~ or in the *Greater Wellington Regional Pest Management Strategy 2002-2022* in the coastal marine area is a prohibited activity.

6 Other methods

6.1 General

Method M1: Regional plan implementation and integration

Wellington Regional Council will implement a work programme to support the use of the Natural Resources Plan, including the production of:

- (a) user guides for Natural Resources Plan provisions, and
- (b) guidance on permitted activities, such as the design and maintenance of **on-site domestic wastewater treatment and discharge systems, earthworks, vegetation clearance** and cleanfills, [culverts and river crossing structures](#), and
- (c) information for the Plan users on the management of activities that have changed significantly from the first generation regional plans.

Wellington Regional Council will prepare protocols and definitions to guide changes to district and regional plans to avoid gaps, uncertainty and unnecessary overlap in regional and territorial regulations for the management of natural resources.

Method M2: Kaitiaki information and monitoring strategy

Wellington Regional Council will work with **mana whenua** kaitiaki to develop and implement, by December 2017, an information and monitoring strategy that is consistent with **Mātauranga Māori** and achieves the following:

- (a) identifies **tohu** and provides resources that enable the measurement of **huanga** for **mahinga kai** and **Māori customary use**, and **Ngā Taonga Nui a Kiwa**, and
- (b) identifies **tikanga** needed to monitor **tohu**, and
- (c) provides a reporting structure that enables kaitiaki information to contribute to the region's State of the Environment reporting, and
- (d) ensures information is accessible and relevant to Māori.

6.2 Natural hazards

Method M3: Wellington regional hazards management strategy

Wellington Regional Council will work in partnership with city and district councils and stakeholders to develop and implement a Wellington regional hazards management strategy. The purpose of the strategy is to facilitate a consistent approach to managing natural hazards between local authorities in the region.

Method M4: Sea level rise

Wellington Regional Council will develop regional guidance for managing the impacts from sea level rise. This will include providing the best available information on the local rates of change using tide gauge records and

continuous GPS records to understand relative sea level change and forecast estimates using the latest internationally peer-reviewed science and measurements.

Forecasts of sea level rise will be reviewed after each [International Intergovernmental Panel of on Climate Change](#) report and a re-analysis of the local rates of sea level change will be undertaken at least every 10 years.

The purpose of this is to enable a consistent approach between local authorities to manage climate change related [coastal hazards](#).

6.3 Air quality

Method M5: Polluted airsheds

Wellington Regional Council will work with central government agencies, city and district councils and stakeholders to develop and implement airshed action plans for **polluted airsheds**. The action plans will identify and address the human and social behaviour changes required to meet the National Environmental Standards for Air Quality by 2020.

6.4 Land and water

6.4.1 Implementing the National Policy Statement for Freshwater Management

Method M6: National Policy Statement for Freshwater Management strategy

Wellington Regional Council, [in partnership with their iwi partners, will give full effect to the National Policy Statement for Freshwater Management \(2014\) \(NPS-FM\) through a programme of defined time-limited stages in accordance with Policy E1\(c\) of the NPS-FM. Council's NPS-FM implementation programme, and detail on the **whaitua implementation programmes**, are publically available on websites maintained by Council and the Ministry for the Environment will develop an integrated strategy for the implementation of all matters under the National Policy Statement for Freshwater Management \(2014\) by December 2015, including the continuation of existing actions established to implement the National Policy Statement for Freshwater Management \(2011\), in particular the **whaitua implementation programmes**.](#)

Method M7: Outstanding water bodies

Wellington Regional Council will:

- (a) review criteria in the Regional Policy Statement for the Wellington Region 2013 used to identify outstanding rivers and lakes for indigenous ecosystem values, and
- (b) use an expert panel to develop and apply criteria for outstanding recreational values of rivers and lakes in the region, and
- (c) work with territorial authorities to develop and apply criteria for outstanding landscape values of rivers and lakes, and

- (d) work with **mana whenua** to develop and apply criteria to identify water bodies with outstanding cultural and spiritual values by June 2021, and
- (e) amend the Plan, after consultation with interested parties, through plan change or variation to include outstanding rivers and lakes identified in (a), (b), ~~and~~ (c) and (d) above.

6.4.2 Te Awarua-o-Porirua Harbour restoration

Method M8: Te Awarua-o-Porirua Harbour restoration



Wellington Regional Council will work in partnership with Ngāti Toa Rangatira, Porirua City Council, Wellington City Council, and stakeholders to address ecological **restoration** in Te Awarua-o-Porirua Harbour. The parties will work with landowners and community groups in order to:

- (a) reduce the amount of sediment entering the harbour, and
- (b) reduce the amount of pollutants entering the harbour, and
- (c) restore estuarine and freshwater environments.

6.4.3 Wairarapa Moana

Method M9: Wairarapa Moana

Wellington Regional Council will work in partnership with Kahungunu ki Wairarapa, ~~and~~ Rangitāne o Wairarapa, landowners and the community to restore the ecological values and improve the water quality of **Wairarapa Moana**. Management activities will include, but are not limited to:

- (a) monitoring, including kaitiaki and landowner information and monitoring, and
- (b) protecting and restoring the habitats of indigenous plants and animals, and
- (c) managing pest plants and animals, and introduced aquatic species that impact on indigenous biodiversity and
- (d) incorporating ecological, cultural and economic values into flood protection practices.

6.4.4 Improving water quality

Method M10: Water quality investigations and remediation actions



Wellington Regional Council will further investigate effects, establish or confirm causality, and through the **whaitua implementation programme** develop appropriate remediation and/or containment programmes to address water quality issues in the catchments and/or groundwater zones for the following priority areas:

- (a) Parkvale Stream – examine reasons for elevated nitrate and periphyton levels, and the associated Taratahi groundwater zone for elevated nitrate levels, by 2017, and

- (b) Te Ore Ore, Tauherenikau and Martinborough groundwater – examine reasons for elevated nitrate levels, by 2017, and
- (c) Waipoua River and Ruamāhanga River – examine reasons for elevated toxic cyanobacteria events, by 2018, and
- (d) Te Awa Kairangi/Hutt River – examine reasons for elevated toxic cyanobacteria events, by 2018, and
- (e) Te Horo groundwater – examine reasons for elevated nitrate levels, by 2018, and
- (f) Ōtaki groundwater – examine reasons of elevated nitrate levels, by 2018, and
- (g) Mangaone Stream – examine reasons for poor macroinvertebrate community health and elevated macrophyte growth, by 2018, and
- (h) Mangapouri Stream – examine reasons for poor macroinvertebrate community health, elevated macrophyte growth and elevated faecal contamination, by 2018, and
- (i) Lake Waitawa – examine reasons for elevated nutrient, phytoplankton and planktonic cyanobacteria levels, by 2018, and
- (j) Waiwhetu Stream – examine reasons for poor macroinvertebrate community health, by 2019, and
- (k) Awhea River – examine reasons for poor macroinvertebrate community health, by 2019, and
- (l) Riversdale groundwater – examine reasons for elevated nitrate levels, by 2019, and
- (m) Whangaehu River – examine reasons for poor macroinvertebrate community health, by 2019.

6.5 ~~Rural~~ Land use

Method M11: Assessment and reporting of Wellington Regional Council works, operations and services for integrated catchment management

Wellington Regional Council will assess and report on how their works, operations and services adhere to the principles of integrated catchment management, as described in Policy P1, by requiring:

- (a) each department to assess the works, operations and services that affect or potentially affect the Plan objectives and policies for land and water, and
- (b) each department to report annually on the individual and cumulative effects or potential effects of their activities on the achievement of the Plan objectives and policies for land and water.

Method M12: Sustainable land management practices



Wellington Regional Council will encourage sustainable ~~rural~~ land management by:

- (a) providing research, advice and promoting **good management practices**, developed in partnership with territorial authorities and rural and urban landowners and ~~rural~~ industries, and
- (b) working in partnership with affected landowners to identify **Category 1 surface water bodies** and **Category 2 surface water bodies**, and
- (c) developing, and assisting with the implementation of riparian management plans, critical source area management plans, farm plans and farm environment plans across a number of priority catchments, including:
 - (i) providing assistance with riparian planting, and erosion and sediment control for 50% of farms in the Taueru River, Kopuaranga River and Huangarua River catchments by 2025, and
 - (ii) providing assistance with riparian planting, nutrient and erosion and sediment control for 50% of properties in the Mangatarere River and Taratahi/Parkvale stream catchments by 2025 and Lake Wairarapa and Whareama River estuary catchments by 2023, and
- (d) collecting and providing biophysical information needed for adaptive management, and
- (e) providing plants through the Akura Conservation Centre for erosion control and riparian and wetland management, and
- (f) providing incentives, such as assistance with costs and labour associated with riparian and wetland fencing, planting and pest control.

Method M13: Wairarapa water races

Wellington Regional Council will work with Wairarapa district councils, water race committees and landowners to characterise the hydrology, water quality, ecology, and the economic, 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:

- (a) identifying areas of management overlap and potential integration, (such as existing individual water race and district-wide by-laws, regional consents for the discharge of water to rivers from the races, and runoff and discharges to the races), and

- (b) options for increasing efficiency including opportunities for **trading transfer** of water takes or providing alternatives to the use of **water races**, and
- (c) options for retaining ecological values, and
- (d) options for improving water quality, and
- (e) opportunities for shared services, such as consent monitoring, education, and best practice, and
- (f) using a plan change or variation specific to rules for **livestock** access to **water races**.

Method M14: Maintenance of drains and highly modified rivers or streams

Wellington Regional Council, in collaboration with landowners, industry, and other relevant organisations and stakeholders, will develop and implement an education programme, including good management practice guidelines, procedures and tools, ~~in collaboration with industry, other relevant organisations, and stakeholders~~ to support the implementation of Rule R121: Maintenance of **drains and highly modified rivers or streams** and R122: Removing vegetation.

The aim of this programme is to:

- (a) assist landowners and drain maintenance contractors to identify the different types of waterways on a property (**drains / highly modified rivers or streams** and unmodified rivers or streams), and be aware of their ecological values, and
- (b) reduce the extent and frequency of maintenance activities associated with **drains and highly modified rivers or streams**, including by implementing riparian and land management practices that minimise inputs of sediment and nutrients to waterways, and
- (c) identify and support the uptake of good management practice maintenance activities for **drains and highly modified rivers or streams**.

Method M14A: Mapping of drains and highly modified rivers and streams

Wellington Regional Council will develop a map layer that identifies **drains and highly modified rivers or streams** to assist with the implementation of Rules R121 and R122 by 30 June 2019.

6.6 Stormwater

Method M15: Regional stormwater working group



Wellington Regional Council will work with city and district councils and with **mana whenua** in a regional **stormwater** working group to:

- (a) support the implementation of the new consenting framework as set out in the Plan, including the development of **stormwater** management strategies and plans, a monitoring and reporting framework and ensuring coordination and consistency with the relevant part(s) of a **whaitua implementation programme**, and
- (b) coordinate **stormwater** management within the region and create efficiencies where possible, such as through **stormwater** education programmes or integrated planning for stormwater management within urban growth overlay areas.

6.7 Contaminated land

Method M16: Contaminated land

Wellington Regional Council will work with city and district councils and stakeholders to develop and implement a Wellington regional contaminated land management strategy to identify and assess contaminated land in the region. Where contaminated land is found to discharge contaminants into surface water or groundwater, including **stormwater**, a site-specific action plan will be developed to remedy the discharge where appropriate.

6.8 Waste reduction and efficient use of water and energy

Method M17: Reduce waste and use water and energy efficiently

Wellington Regional Council will work with city and district councils and industries to reduce waste and encourage the efficient use of water and energy by:

- (a) providing information to support compliance with permitted activity conditions for land uses such as cleanfills, landfills, **farm refuse dumps** and **offal pits**, and
- (b) identifying opportunities and priorities for discharging to land rather than water, and
- (c) assisting the community to adopt sustainable practices and product-stewardship to:
 - (i) reduce, reuse or recycle waste, and
 - (ii) use water and energy efficiently, and
 - (iii) conserve water and energy.

Method M18: Water use groups

Wellington Regional Council will work in partnership with water user groups to:

- (a) support water user groups, or voluntary agreements between water users, to share takes and manage allocations, and

- (b) support water user groups to assist with water sharing during times of restrictions or when the catchment is fully allocated, and
- (c) provide, where available, accurate technical information to assist user groups.

Method M19: Water management

The Wellington Regional Council will work with city and district councils, water users and industry groups to encourage the efficient use of water, including by:

- (a) establishing, operating, and making publicly available a freshwater accounting system for the region, and
- (b) promoting and providing advice on measuring and reporting of water permits, including the use of real-time, telemetered water measuring systems compatible with Wellington Regional Council's water use data management system, and
- (c) promoting and providing advice on suitable models that consider land use, crop use and other site physical factors that will meet the efficient use criteria in Schedule Q (efficient use) of the Plan, and
- (d) ~~promoting~~ exploring alternatives to the use of water races, and
- (e) exploring alternative management options for water races, and
- (f) assisting landowners, communities and organisations to conserve water and use it efficiently, and
- (g) promoting water storage outside river beds.

6.9 Biodiversity

Method M20: Wetlands



Wellington Regional Council will work in partnership with **mana whenua**, landowners, territorial authorities, and the community to:

- (a) promote the value of wetlands and advocate for their management, **restoration** and protection, and
- (b) provide guidance to landowners with wetlands on their **property** to assist with the management of those wetlands, including identification of wetland type, wetland boundaries, and appropriate management, and
- (c) develop and implement **Wetland Restoration Management Plans** for in partnership with landowners ~~and~~ for outstanding **natural wetlands** and **significant** other natural wetlands as required, and
- (d) provide incentives to landowners, such as assistance with the costs of riparian and wetland fencing, planting and pest control, and

- (e) encourage and assist with the legal protection of wetlands through covenanting with the QEII National Trust, the Department of Conservation and Ngā Whenua Rahui.

Method M20A: Coastal Sites that meet NZCPS Policy 11

Wellington Regional Council will work with the Department of Conservation, territorial local authorities, Iwi and other parties as appropriate to:

- (a) identify sites in the coastal marine area within the region that meet the criteria set out in the New Zealand Coastal Policy Statement Policy 11, and
- (b) produce a regional list of these sites for inclusion in the Plan by plan change or variation.

Method M21: Fish passage



Wellington Regional Council will support the maintenance and restoration of fish passage in the region by:

- (a) developing and providing information on fish passage, and
- (b) providing training and guidance to landowners and managers, including on design or retro-fitting of culverts and river crossing structures, and
- (c) identifying priority areas for restoring fish passage in consultation with key stakeholders (including the Department of Conservation and landowners) and restoring fish passage in these areas as a priority areas.

6.10 Coast

Method M22: Integrated management of the coast



Wellington Regional Council will advocate for the integrated management of the coastal marine area, by actively engaging with **mana whenua** and other agencies that have governance responsibilities in the **coastal marine area** to achieve:

- (a) good communication and information sharing, and
- (b) the protection of sites and habitats with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats), and
- (c) the **restoration** of natural character, and
- (d) improved public access.

6.11 Historic heritage

Method M23: Archaeological discovery protocols



Wellington Regional Council will require consent holders to have an archaeological discovery protocol in place, as a condition of resource consent, for ground disturbance activities. These protocols will ensure that appropriate actions take place should any archaeological material be uncovered unexpectedly.

Method M23A: Archaeological Authority requirements under the Heritage New Zealand Pouhere Taonga Act 2014

When applications are received for ground disturbance activities near recorded archaeological sites, the Wellington Regional Council will advise consent holders that there are also separate consent requirements for the modification or destruction of an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014. This may be by including an Advice Note in conditions in resource consents.

6.12 Natural features and landscapes

Method M24: Outstanding natural features and landscapes and high natural character



Wellington Regional Council will work with city and district councils and the community to:

- (a) identify outstanding natural features and landscapes within the region, and
- (b) identify areas with outstanding/high natural character in the coastal environment, and
- (c) produce a regional list of these features, landscapes and areas by 2017 for inclusion in the Plan by plan change or variation.

6.13 Mana whenua

Method M25: Understanding and providing for mana whenua values and relationships



Wellington Regional Council will work with **mana whenua** to assist communities in understanding and providing for **mana whenua** values and, in particular, their relationships with air, land and water within **Ngā Taonga Nui a Kiwa**.

Method M26: Encouraging the involvement of kaitiaki



Wellington Regional Council will encourage the involvement of **mana whenua** kaitiaki in resource consent processes when their relationship with air, land and water or their values is adversely affected, particularly for sites with significant **mana whenua** values and within **Ngā Taonga Nui a Kiwa**.

6.14 Contact recreation and Māori customary use

Method M27: Improving water quality in priority water bodies



Wellington Regional Council in conjunction with mana whenua will develop and implement a programme to improve water quality for **contact recreation** and **Māori customary use** in the first priority fresh and coastal water bodies identified in Schedule ~~H1~~ H2.

6.15 Good management practice

Method M28: Development of good management practice guidelines.

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 implementation of policies which rely on **good management practice** to achieve desired environmental outcomes.

7 Ruamāhanga Whaitua

Minimum flows, minimum water levels and **core allocation** referred to in the Plan are interim to the extent that they will be reviewed by **whaitua** committees and may be amended by plan changes or variations following recommendations of **whaitua** committees.

7.1 Policies

In addition to policies on **minimum flows, minimum water levels** and **core allocation** that follow, policies in chapter 4 of the Plan also apply equally to **minimum flows, minimum water levels** and **core allocation** for the Ruamāhanga Whaitua.

Policy R.P1: Minimum flows and minimum water levels in the Ruamāhanga Whaitua

Minimum flows and **minimum water levels** in the Ruamāhanga Whaitua are:

- (a) for rivers (including **tributaries**), the **minimum flows** in Table 7.1, and
- (b) for rivers not in Table 7.1, 90% of the ~~seven-day~~ **mean annual low flow**, and
- (c) for Lake Wairarapa, the **minimum water level** in Table 7.2, and
- (d) for **natural lakes** (other than Lake Wairarapa), existing **minimum water levels**.

Policy R.P2: Core allocation in the Ruamāhanga Whaitua

The maximum amount of water available for allocation from rivers (including **tributaries**), Lake Wairarapa (including **tributaries**), and groundwater in the Ruamāhanga River catchment, above the Lake Wairarapa outflow, and in the Lake Wairarapa catchment, at the time an application is made for resource consent to take and use water, shall not exceed whichever is the greater of:

- (a) the total amount allocated by resource consents, or
- (b) the allocation amounts identified in Tables 7.3-7.5,

except for the taking and use of water identified in Policy P117 at flows above the **median flow**.

Policy R.P3: Cumulative effects on river reaches of allocating water

When allocating river water or ~~groundwater directly connected to surface water~~ **Category A groundwater and Category B groundwater**, 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.

7.2 Rules

In addition to rules for the take and use of water that follow, rules in Chapter 5 of the Plan also apply equally to rules for the Ruamāhanga Whaitua. If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in Chapter 5.

Rule R.R1: Take and use of water in the Ruamāhanga Whaitua – restricted discretionary activity

The take and use of water from any river (including **tributaries**), Lake Wairarapa (including **tributaries**), and groundwater in the Ruamāhanga River catchment above the Lake Wairarapa outflow, and in the Lake Wairarapa catchment, that is not provided for in Rules R136, R137, R138, R139, R140, R140A, or R141 is a restricted discretionary activity provided the following conditions are met:

- (a) the take and use shall not occur below the **minimum flows or minimum water levels** in Table 7.1 or 7.2, except that this condition does not apply to:
 - (i) water for the **health needs of people** as part of a **group drinking water supply** or **community drinking water supply** or water for rootstock protection, and
 - (ii) water used by industry from a **community drinking water supply** for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and
 - (iii) taking groundwater, and
 - (iv) water races for the purpose of supplying water for the health needs of people and animal drinking water, and
- (b) in any **catchment management unit** and **catchment management sub-unit** in Tables 7.3-7.5, the amount of water taken and used, in addition to all **existing resource consents**, does not exceed whichever is the greater of:
 - (i) the maximum amount allocated by resource consents at the date the consent application is lodged, or
 - (ii) the allocation amounts in Tables 7.3-7.5,except that this condition does not apply to the take and use of water at river flows above the **median flow**, and
- (c) at flows above **median flow**:

- (i) the frequency of **flushing flows** that exceed three times the **median flow** of the river is not changed, and
- (ii) no more than 50% of the river flow above the **median flow** ~~remains in the river~~ is taken for rivers with mean flows greater than 5m³/sec, or
- (iii) no more than 10% of the total river flow is taken for rivers with mean flows of less than or equal to 5m³/sec.

Matters for discretion

1. The reasonable and efficient use of water, including the criteria in Schedule Q (efficient use)
2. The timing, amount, and rate of taking of water; including instantaneous (L/sec), daily (m³/day), and seasonal requirements and duration and timing of peak daily take rate
3. For **group drinking water supplies** or **community drinking water supplies**, the amount and rate of water taken and used for the **health needs of people**
4. Reduction in the rate of take from surface water and groundwater ~~directly connected to surface water~~ **Category A groundwater and Category B groundwater** at times of low flow and restrictions when rivers approach or fall below the **minimum flows or water level**, including the guideline for stepdown allocation and flows in Schedule R (stepdown guideline)
5. Effects due to local flow or water level depletion on wetlands, springs, or downstream river reaches in the same **catchment management sub-unit**
6. Interference effects on existing lawful water takes
7. Prevention of salt water intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface
8. For a take and use from groundwater, the degree of connectivity and category according to Table 4.1 ~~in category B groundwater (directly connected) or category B groundwater (not directly connected)~~
9. Preventing fish from entering water intakes
10. Measuring and reporting, including the guideline in Schedule S (measuring takes)

Rule R.R2: Taking and using water – discretionary activity

The take and use of water [that is not provided for in Rules R136, R137, R138, R139, R140, 140A or R141](#) in the Ruamāhanga Whaitua from:

- (a) any river not in the Ruamāhanga River catchment, or
- (b) any river (or river reach) downstream of the confluence of the Ruamāhanga River and the Lake Wairarapa outflow, or
- (c) any lake other than Lake Wairarapa that is upstream of any river in the Ruamāhanga River catchment, or
- (d) any river at flows above the **median flow** that does not meet condition (c) of Rule R.R1

is a discretionary activity.

Rule R.R3: Taking and use of water that exceeds minimum flows, lake levels or core allocation – prohibited activity

The take and use of water from any river (including **tributaries**), Lake Wairarapa (including **tributaries**), or groundwater in Tables 7.3-7.5 in the Ruamāhanga River catchment that does not meet conditions (a) or (b) of Rule R.R1 is a prohibited activity.

Table 7.1: Minimum flows for rivers in the Ruamāhanga River and Lake Wairarapa catchments

River (shown in Figure 7.1)	Management point	Minimum flow (L/s)	
Kopuaranga River upstream of the confluence with the Ruamāhanga River	Palmers	270	
Waipoua River upstream of the confluence with the Ruamāhanga River	Mikimiki Bridge	250	
Waingawa River upstream of the confluence with the Ruamāhanga River	Kaituna	1,100	
Parkvale Stream upstream of the confluence with the Ruamāhanga River	Renalls Weir recorder	100	
Mangatarere Stream	upstream of Belvedere Road Bridge	Gorge recorder	240
	Between the confluence with the Waiohine River and the Belvedere Road Bridge	Gorge recorder	200
Waiohine River upstream of the confluence with the Ruamāhanga River	Gorge recorder	2,300	
Papawai Stream upstream of the confluence with the Ruamāhanga River	Fabians Road recorder	180	
Upper and Middle Ruamāhanga River upstream of the confluence with the Waiohine River	Wardells	2,400	
Otukura Stream upstream of the confluence with Dock/Stonestead Creek	Weir recorder	95	
Tauherenikau River upstream of Lake Wairarapa	Gorge recorder	1,100	
Lower Ruamāhanga River between the boundary with the coastal marine area and the Waiohine River confluence	Waihenga recorder	8,500	

Table 7.2: Minimum lake levels and minimum water levels for Lake Wairarapa

Time period	Minimum lake levels at Burlings recorder	Minimum water levels
1 December to 29 February	10.15m	For the purpose of allocating water, minimum water levels in Lake Wairarapa shall be determined by: (i) minimum lake levels, and (ii) the minimum flow for the Tauherenikau River in Table 7.1, and (iii) no net decline in lake level over the preceding five days.
1 March to 31 May	10.00m	
1 June to 30 September	9.95m	
1 October to 30 November	10.00m	

Table 7.3: Surface water allocation amounts for rivers ~~and groundwater directly connected to surface water~~ category A groundwater and category B groundwater in the Ruamāhanga River catchment above the Lake Wairarapa outflow

Catchment management unit ¹	Allocation amount ² (L/s)
Ruamāhanga River and tributaries , upstream of (but not including) the confluence with the Lake Wairarapa outflow, and all category A groundwater and category B groundwater (<u>stream depletion</u>) identified in the catchment management sub-units below in Table 7.3	7,535 <u>7,430</u>
Catchment management sub-units in the upper Ruamāhanga catchment¹ (shown in Figures 7.2 and 7.3)	Allocation amount² (L/s)
Kopuaranga River and tributaries , category A groundwater and <u>Upper Ruamahanga category B groundwater</u> (stream depletion)(directly connected)	180
Waipoua River and tributaries , category A groundwater and <u>Upper Ruamahanga or Waingawa category B groundwater</u> (<u>stream depletion</u>)(directly connected)	145
Waingawa River and tributaries , <u>Waingawa category A groundwater</u> and <u>Taratahi or Waingawa category B groundwater</u> (<u>stream depletion</u>)(directly connected)	920
Ruamāhanga River and tributaries upstream of the confluence with the Waingawa River, <u>Upper Ruamahanga category A groundwater</u> and <u>Waingawa, Te Ore Ore or Upper Ruamahanga category B groundwater</u> (<u>stream depletion</u>)(directly connected), excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)	1,200

¹ When assessing **surface water allocation**, both the relevant **catchment management unit** and **catchment management sub-unit** must be considered

² This **allocation amount** has been derived as a default based upon one of two rules; for rivers with a mean flow of greater than 5,000 litres/sec, the **allocation limit** is equal to 50% of the natural seven-day **mean annual low flow** (7d MALF) and for rivers with a mean flow of less than 5,000 litres/sec, the **allocation limit** is equal to 30% of the 7d MALF.

Catchment management sub-units in the middle Ruamāhanga catchment¹ (shown in Figures 7.5, 7.6 and 7.7)	Allocation amount² (L/s)
Parkvale Stream and tributaries , and <u>Taratahi or Parkvale category B groundwater (stream depletion) (directly connected)</u>	40
Booths Creek and tributaries and <u>Parkvale, Mangatarere or Taratahi category B groundwater (stream depletion) (directly connected)</u>	25
Mangatarere Stream and tributaries , <u>Mangatarere category A groundwater and Mangatarere category B groundwater (stream depletion) (directly connected)</u>	110
Waiohine River and tributaries (excluding Mangatarere Stream and tributaries)- <u>Waiohine category A groundwater</u> and <u>Mangatarere category B groundwater (stream depletion) (directly connected)</u>	1,590
Papawai Stream and tributaries and <u>Waiohine category A groundwater</u>	65-105
Ruamāhanga River and tributaries upstream of the confluence with the Papawai Stream, and Middle Ruamahanga category A groundwater excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)	1,240
Catchment management sub-units in the lower Ruamāhanga catchment¹ (shown in Figure 7.8 and 7.9)	Allocation amount² (L/s)
Huangarua River and tributaries and <u>Huangarua category A groundwater and Huangarua category B groundwater (stream depletion)</u>	110
Lower Ruamāhanga River and tributaries upstream of (but not including) the confluence with the Lake Wairarapa outflow, <u>and Lower Ruamahanga category A groundwater and Lake category B groundwater (stream depletion)</u> excluding all the above catchment management sub-units in the Ruamāhanga catchment (above this row in Table 7.3)	1475 <u>1,370</u>

Table 7.4: Surface water allocation amounts for rivers, Lake Wairarapa and category A groundwater and category B (stream depletion) groundwater directly connected to surface water in the Lake Wairarapa catchment

Catchment management unit³ (shown in Figures 7.8 and 7.9)	Allocation amount⁴ (L/s)
Lake Wairarapa and tributaries above the confluence of the Lake Wairarapa outflow with the Ruamāhanga River, <u>and Tauherenikau category A groundwater and Lake or Tauherenikau category B groundwater (stream depletion) (directly connected)</u>	1,800
Catchment management sub-units³ (shown in Figures 7.8 and 7.9)	Allocation amount⁴ (L/s)
Otukura Stream and tributaries above (but not including) the confluence with Dock/Stonestead Creek <u>and Tauherenikau category B groundwater (stream depletion) (directly connected)</u>	30
Tauherenikau River and tributaries , <u>and Tauherenikau category A groundwater and Tauherenikau category B groundwater (stream depletion) (directly connected)</u>	410

Note: Where category B groundwater is referred to in table 7.3 and table 7.4, the calculated stream depletion effect (described in Table 4.1) is included in the surface water allocation for the relevant catchment management sub unit, while the remainder is included in the groundwater allocation the relevant catchment management sub unit.

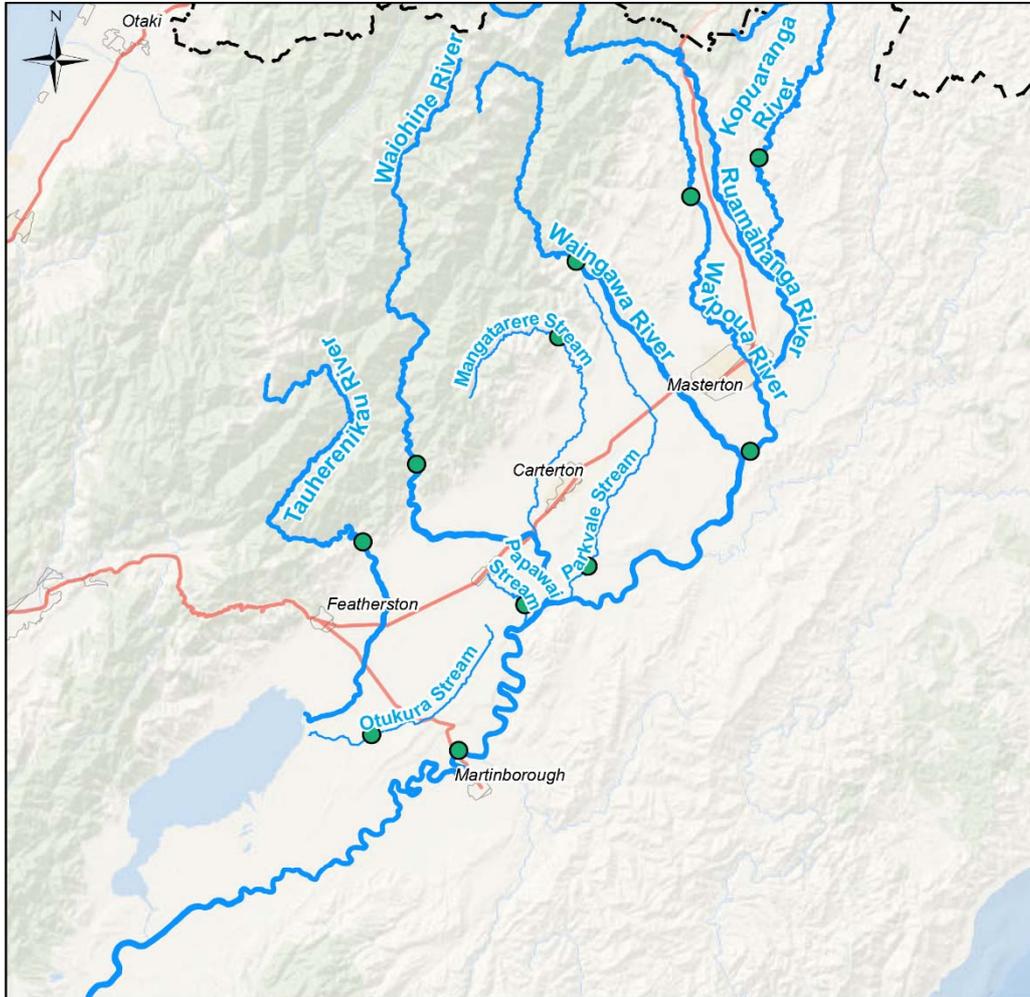
³ When assessing **surface water allocation**, both the relevant catchment management–unit and catchment management sub-unit must be considered

⁴ This **allocation amount** has been derived as a default based upon one of two rules; for rivers with a mean flow of greater than 5,000 litres/sec, the **allocation limit** is equal to 50% of the natural 7d **MALF** and for rivers with a mean flow of less than 5,000 litres/sec, the **allocation limit** is equal to 30% of the 7d **MALF**.

Table 7.5: Groundwater allocation amounts for category B groundwater not directly connected to and category C groundwater in the Ruamāhanga River catchment

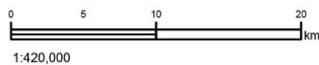
Upper Ruamāhanga catchment management sub-units³ (shown in Figures 7.2, 7.3 and 7.4)	Allocation amount (m³/year)
Te Ore Ore category B groundwater	480,000
Waingawa category B groundwater and Waingawa category C groundwater	1,900,000
Ruamāhanga category B groundwater and Ruamāhanga category C groundwater	3,550,000
Middle Ruamāhanga catchment management sub-units³ (shown in Figures 7.5, 7.6 and 7.7)	Allocation amount (m³/year)
Fernhill-Tiffen category C groundwater	1,200,000
Taratahi category B groundwater and Taratahi category C groundwater	1,400,000
Parkvale category B groundwater and Parkvale category C groundwater	350,000 [unconfined] 1,550,000 [confined]
Mangatarere category B groundwater -and Mangatarere category C groundwater	2,300,000
Lower Ruamāhanga catchment management sub-units³ (shown in Figures 7.8 and 7.9)	Allocation amount (m³/year)
Tauherenikau category B groundwater	6,600,000
<u>Lower Ruamāhanga Category B groundwater</u>	<u>3,300,000</u>
Lake Category B groundwater and Lake Category C groundwater	6,750,000
Huangularua Category B groundwater	650,000
Martinborough Category C groundwater	800,000
Dry River Category B groundwater	650,000
Onoke Category C groundwater	2,100,000

Figure 7.1: Rivers with minimum flows in the Ruamāhanga catchment in Table 7.1



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- State Highway
- River flow management sites
- Region boundary line
- Urban Areas
- River

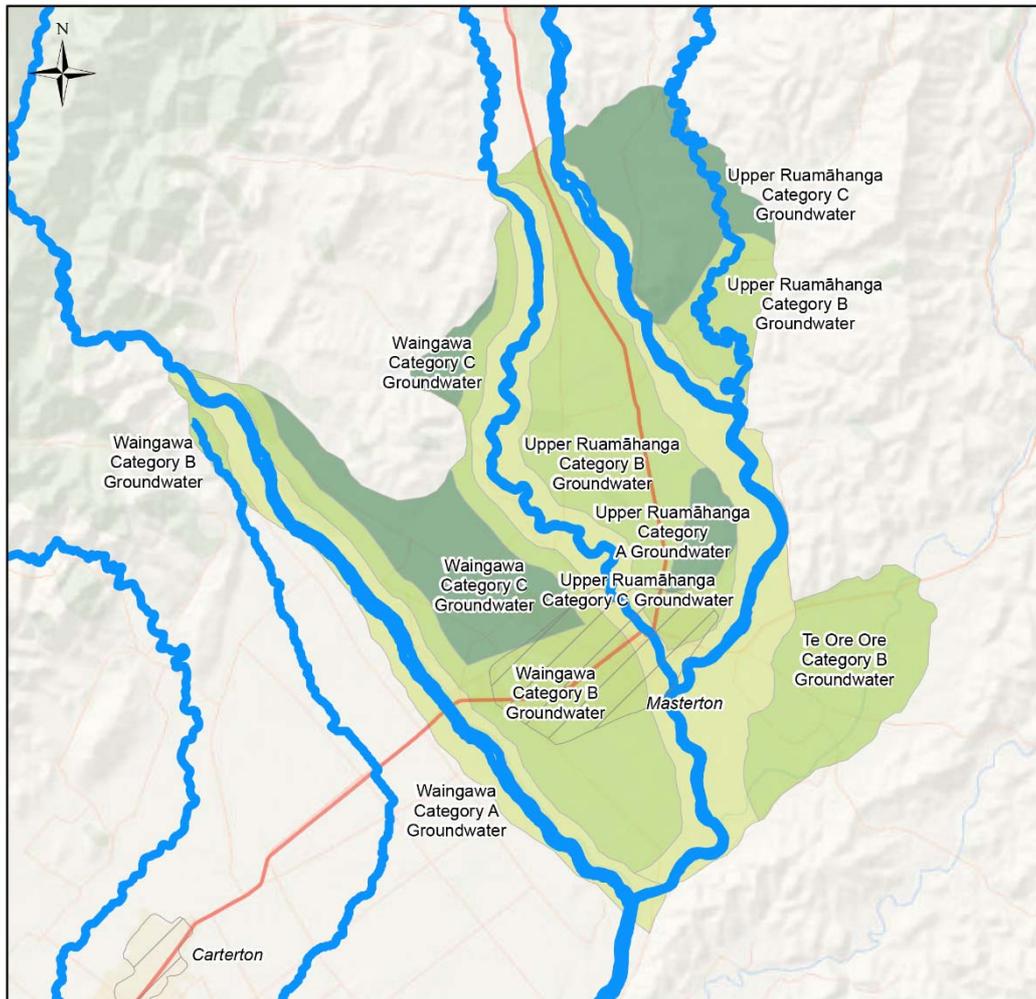


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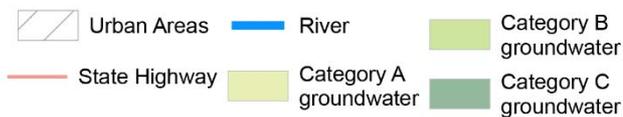


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Figure 7.2: Upper Ruamāhanga catchment - rivers and groundwater (0-20m deep) in Tables 7.3 and 7.5



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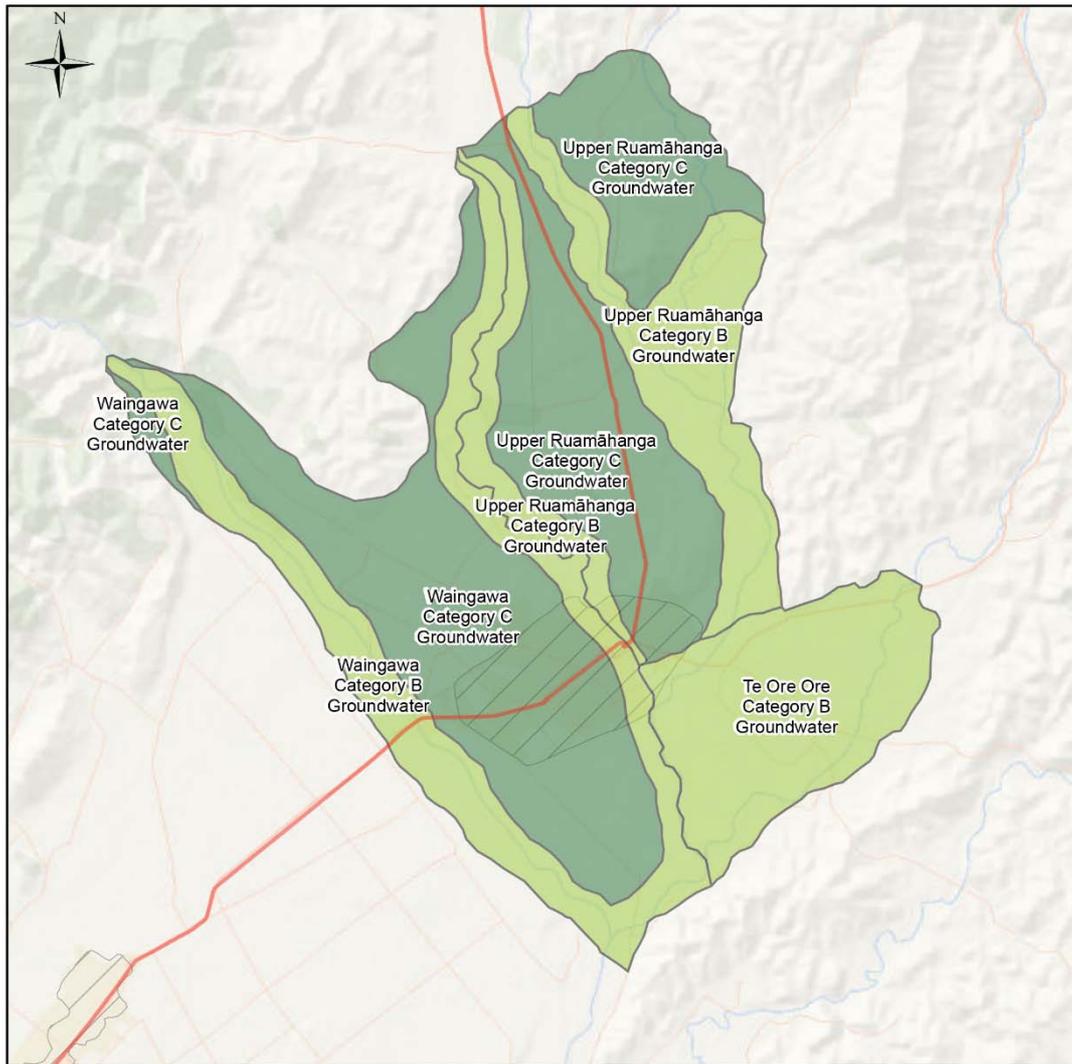


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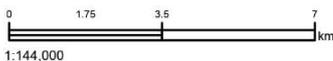
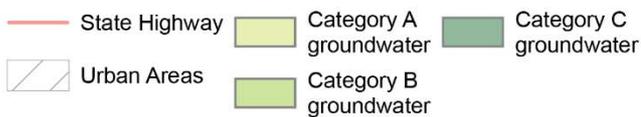


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Figure 7.3: Upper Ruamāhanga - groundwater (20-30 metres deep) in Tables 7.3 and 7.5



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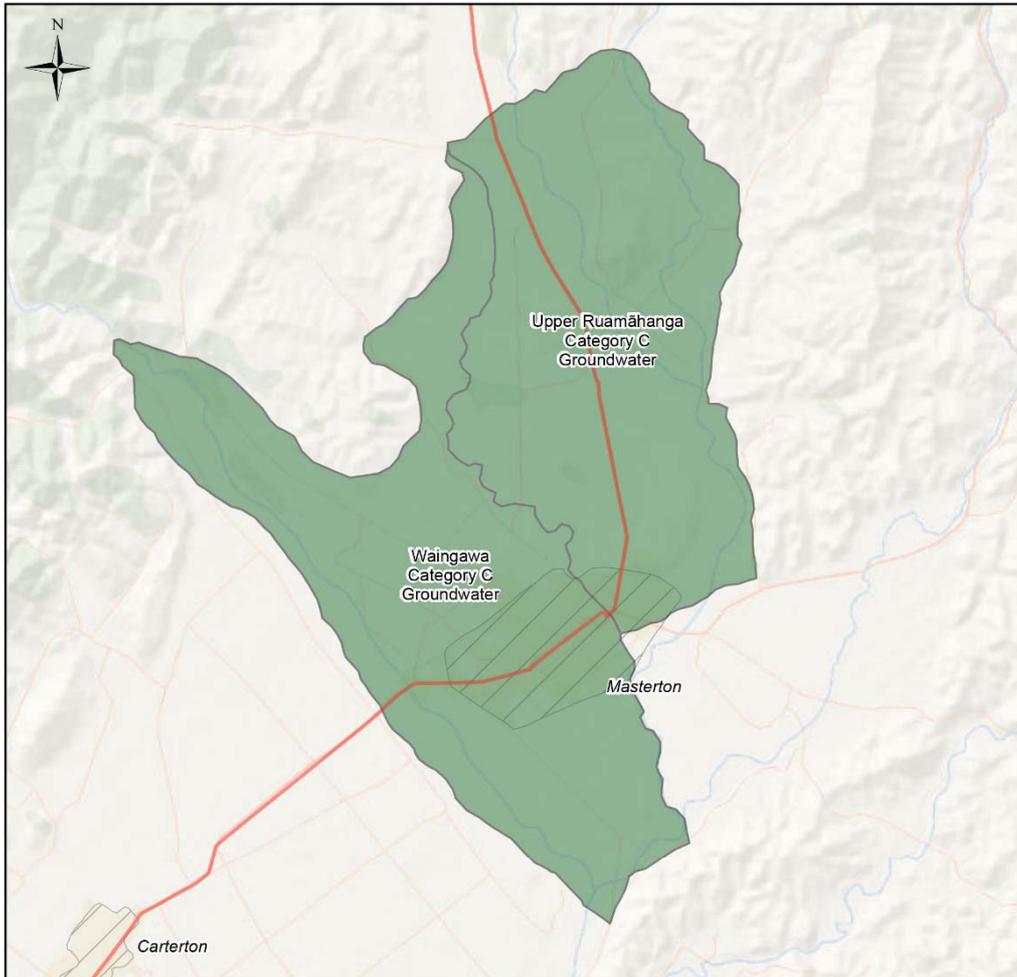


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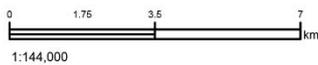
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Figure 7.4: Upper Ruamāhanga catchment - groundwater (greater than 30 metres deep) in Table 7.5



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— State Highway ▨ Urban Areas
 ■ Category C groundwater

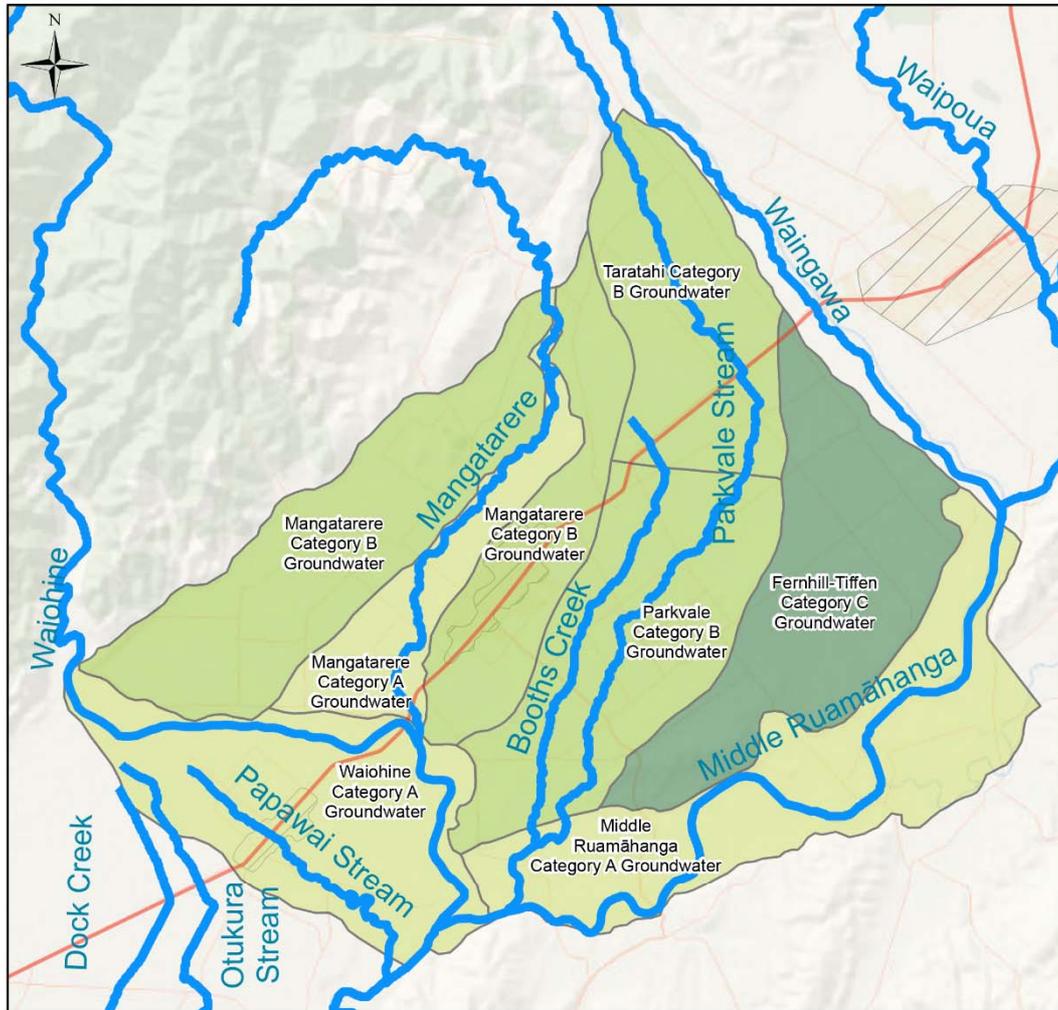


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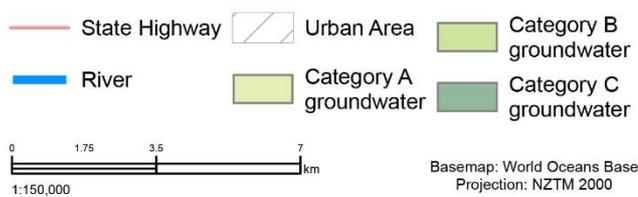


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Figure 7.5: Middle Ruamāhanga catchment - rivers and groundwater (0-20 metres deep) in Tables 7.3 and 7.5

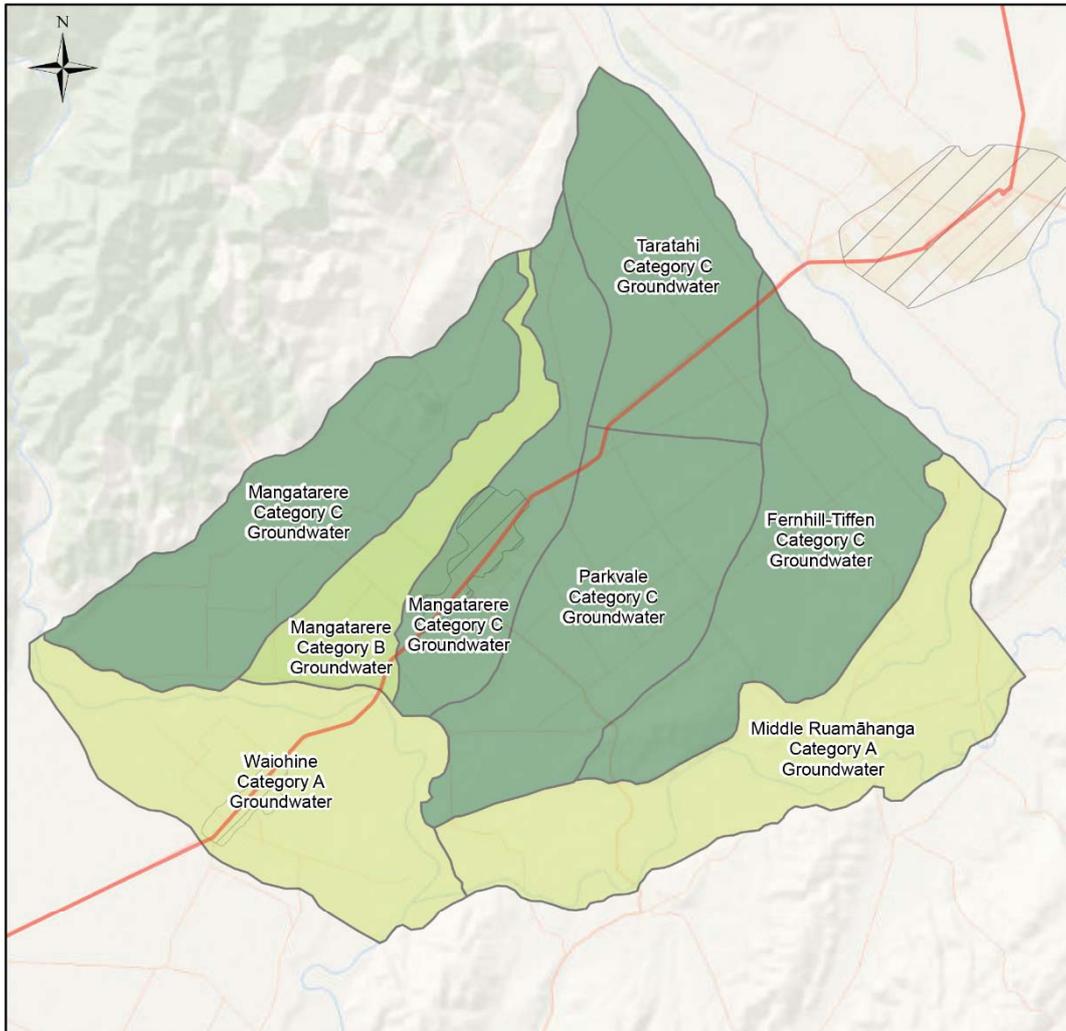


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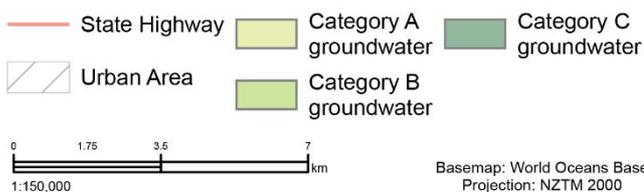


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Figure 7.6: Middle Ruamāhanga - groundwater (20-30 metres deep) in Tables 7.3 and 7.5

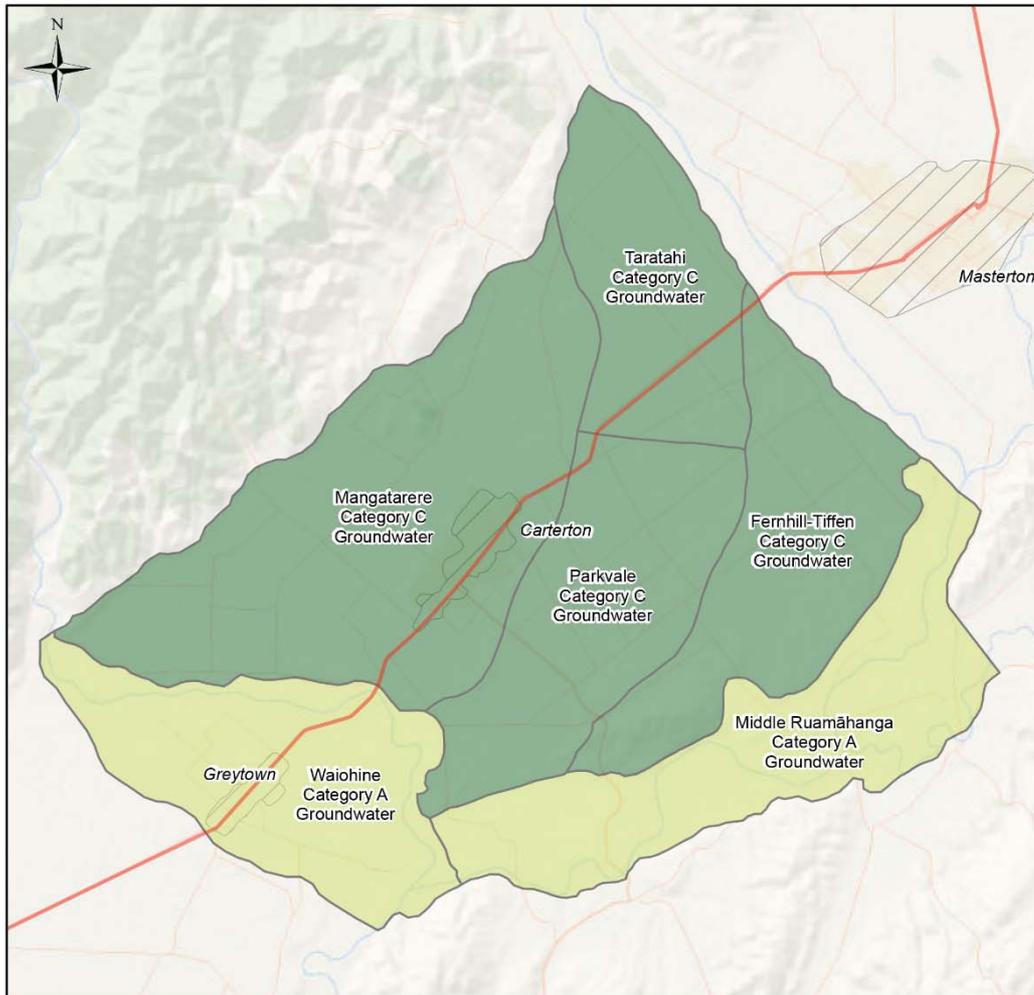


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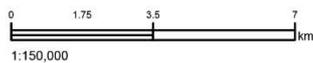


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Figure 7.7: Middle Ruamāhanga catchment - groundwater (greater than 30 metres deep) in Tables 7.3 and 7.5



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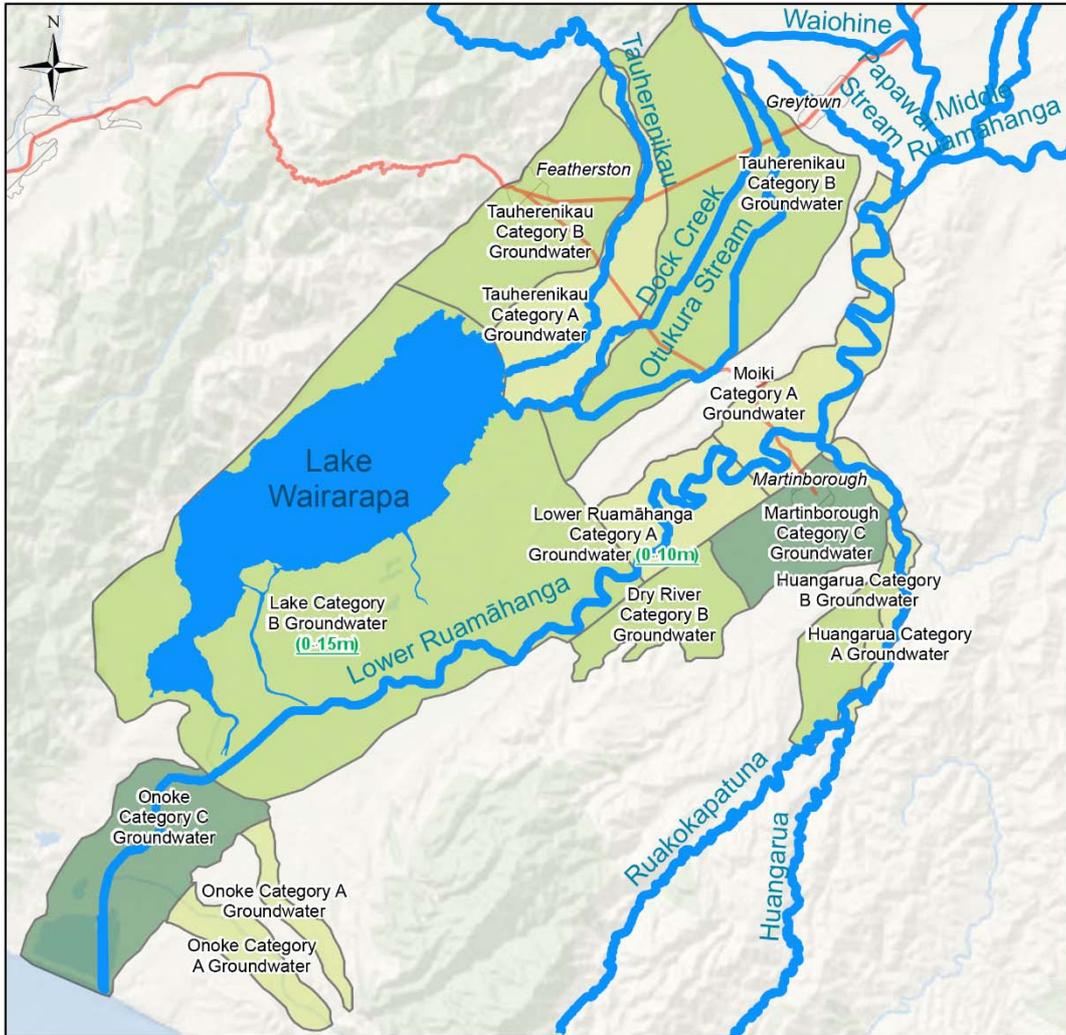


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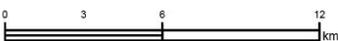
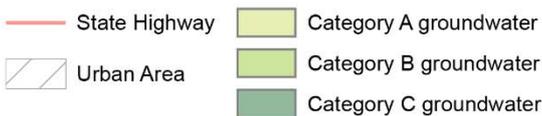


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Figure 7.8: Lower Ruamahānga - rivers and groundwater (0-20 metres deep unless specified) in Tables 7.3, 7.4 and 7.5



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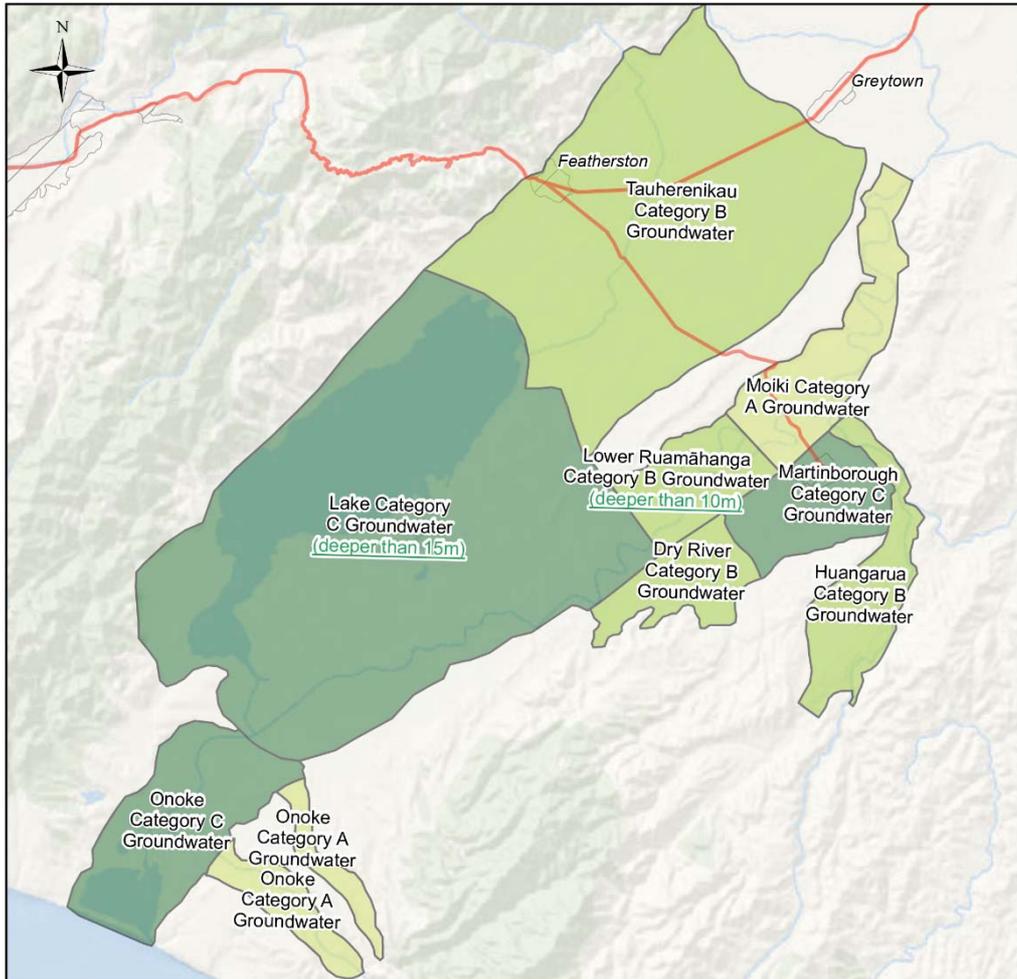


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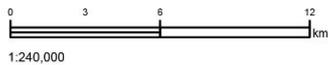
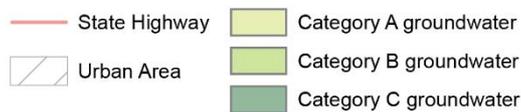


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Figure 7.9: Lower Ruamāhanga catchment - groundwater (greater than 20 metres deep unless specified) in Tables 7.3, 7.4 and 7.5



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8 Wellington Harbour and Hutt Valley Whaitua

Minimum flows, minimum water levels and core allocation referred to in the Plan are interim to the extent that they will be reviewed by whaitua committees and may be amended by plan changes or variations following recommendations of whaitua committees.

8.1 Policies

In addition to policies on minimum flows, minimum water levels and core allocation that follow, policies in chapter 4 of the Plan also apply equally to minimum flows and core allocation in the Wellington Harbour and Hutt Valley Whaitua.

Policy WH.P1: Minimum flows and minimum water levels in the Wellington Harbour and Hutt Valley Whaitua

Minimum flows and **minimum water levels** in the Wellington Harbour and Hutt Valley Whaitua are:

- (a) for rivers (including **tributaries**) the **minimum flows** in Table 8.1, and
- (b) for rivers not in Table 8.1, 90% of the ~~seven-day~~ **mean annual low flow**, and
- (c) for **natural lakes**, existing **minimum water levels**.

Policy WH.P2: Core allocation in the Wellington Harbour and Hutt Valley Whaitua

The maximum amount of water available for allocation from rivers (and **tributaries**) and groundwater in the Te Awa Kairangi/Hutt River, Wainuiomata River catchment and Orongorongo River catchments, at the time an application is made for resource consent to take and use water, shall not exceed whichever is the greater of:

- (a) the total amount allocated by resource consents, or
- (b) the allocation amounts identified in Tables 8.2-8.3

except for the taking and use of water identified in Policy P117 at flows above the **median flow**.

8.2 Rules

~~In addition to rules for the take and use of water that follow, rules in Chapter 5 of the Plan also apply equally to rules for the Wellington Harbour and Hutt Valley whitua. If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in Chapter 5.~~

Rule WH.R1: Take and use of water in the Wellington Harbour and Hutt Valley Whitua – restricted discretionary activity

The take and use of water from any river (including **tributaries**) and groundwater in the Te Awa Kairangi/Hutt River, Wainuiomata River and Orongorongo River catchments, that is not provided for in Rules R136, R137, R138, R139, R140, R140A or R141 is a restricted discretionary activity provided the following conditions are met:

- (a) the take and use shall not occur below the **minimum flows** in Table 8.1, except that this condition does not apply to:
 - (i) water for the **health needs of people** as part of a **group drinking water supply** or a **community drinking water supply**, and
 - (ii) taking groundwater, and
- (b) in any **catchment management unit** in Tables 8.2 and 8.3, the amount of water taken and used, in addition to all **existing resource consents**, does not exceed whichever is the greater of:
 - (i) the maximum amount allocated by resource consents at the date the consent application is lodged, or
 - (ii) the allocation amounts in Tables 8.2 and 8.3except that this condition does not apply to the take and use of water at river flows above the **median flow**, and
- (c) at flows above **median flow**:
 - (i) the frequency of **flushing flows** that exceed three times the **median flow** of the river is not changed, and
 - (ii) no more than 50% of the river flow above the **median flow** remains in the river is taken for rivers with mean flows greater than 5m³/sec, or
 - (iii) no more than 10% of the total river flow is taken for rivers with mean flows of less than or equal to 5m³/sec.
- (d) the take and use is not from a river identified as outstanding in Schedule A1 (outstanding rivers).

Matters for discretion

1. The reasonable and efficient use of water, including the criteria in Schedule Q (efficient use)
2. The timing, amount, and rate of take of water; including instantaneous (L/sec), daily (m³/day), and seasonal requirements and duration and timing of peak daily take rate
3. For **group drinking water supplies** or **community drinking water supplies**, the amount and rate of water taken and used for the **health needs of people**
4. Reduction in the rate of take from surface water and **groundwater directly connected to surface water** **Category A groundwater and Category B groundwater** at times of low flow and restrictions when rivers approach or fall below the **minimum flows or water level**.
5. Effects due to local flow or water level depletion on wetlands, springs, or the downstream river reach in the same **catchment management unit**
6. Interference effects on existing lawful water takes
7. Prevention of salt water intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface
8. For a take and use from groundwater, the degree of connectivity and category according to Table 4.1 in category B groundwater (directly connected) or category B groundwater (not directly connected)
9. Preventing fish from entering water intakes
10. Measuring and reporting, including the guideline in Schedule S (measuring takes)

Rule WH.R2: Take and use of water in the Wellington Harbour and Hutt Valley Whaitua – discretionary activity

The take and use of water that is not provided for in Rules R136, R137, R138, R139, R140, R140A or R141 in the Wellington Harbour and Hutt Valley Whaitua from:

- (a) any river or groundwater not in Table 8.2 and Table 8.3, and
- (b) any lake other than an outstanding lake identified in Schedule A2 (outstanding lakes), and
- (c) any river at flows above the **median flow** that does not meet condition (c) of Rule WH.R1

is a discretionary activity.

Rule WH.R3: Take and use of water from outstanding rivers or lakes – non-complying activity

The take and use of water from a river or lake in the Wellington Harbour and Hutt Valley Whitua identified as outstanding in Schedule A1 (outstanding rivers) or Schedule A2 (outstanding lakes) is a non-complying activity.

Rule WH.R4: Take and use of water exceeding minimum flows or core allocation – prohibited activity

The take and use of water from a river (including **tributaries**) or groundwater in the Wellington Harbour and Hutt Valley Whitua in Tables 8.2 and 8.3 that does not meet conditions (a) or (b) of Rule WH.R1 is a prohibited activity.

Table 8.1: Minimum flows for rivers in the Wellington Harbour and Hutt Valley Whitua

River		Management point	Minimum flow (L/s)
Te Awa Kairangi/Hutt River	Upstream of the confluence with the Pakuratahi River	Kaitoke water supply intake	600
	Downstream of the confluence with the Pakuratahi River	Birchville recorder	1,200
Wainuiomata River	Between Manuka Track and the confluence with Georges Creek	Manuka recorder	100
	Between Georges Creek and the boundary of the coastal marine area	Leonard Wood Park recorder	300
Orongorongo River upstream of the boundary with the coastal marine area		RTruss Bridge recorder	100

Table 8.2: Surface water allocation amounts for rivers and [category A groundwater and category B groundwater directly connected to surface water](#) in the Te Awa Kairangi/Hutt River, Wainuiomata River and Orongorongo River catchments

Catchment management unit for the Te Awa Kairangi/Hutt River catchment (shown in Figures 8.1 and 8.2)	Allocation amount ¹ (L/s)
Te Awa Kairangi/Hutt River and tributaries, Upper Hutt or Lower Hutt category A groundwater and Upper or Lower Hutt category B groundwater (stream depletion) (directly connected) in the catchment management units shown in Figures 8.1 and 8.2	2,140
Wainuiomata River and tributaries	180
Orongorongo River and tributaries	95

[Note: Where category B groundwater is referred to in table 8.2, the calculated stream depleting effect \(described in Table 4.1\) is included in the surface water allocation for the relevant catchment management unit, while the remainder is included in the groundwater allocation for the relevant catchment management unit.](#)

¹ This limit has been derived as a default based upon one of two rules; for rivers with a mean flow of greater than 5,000 litres/sec, the allocation amount is equal to 50% of the [natural seven-day](#) mean annual low flow (7d MALF) and for rivers with a mean flow of less than 5,000 litres/sec, the allocation limit is equal to 30% of the 7d MALF.

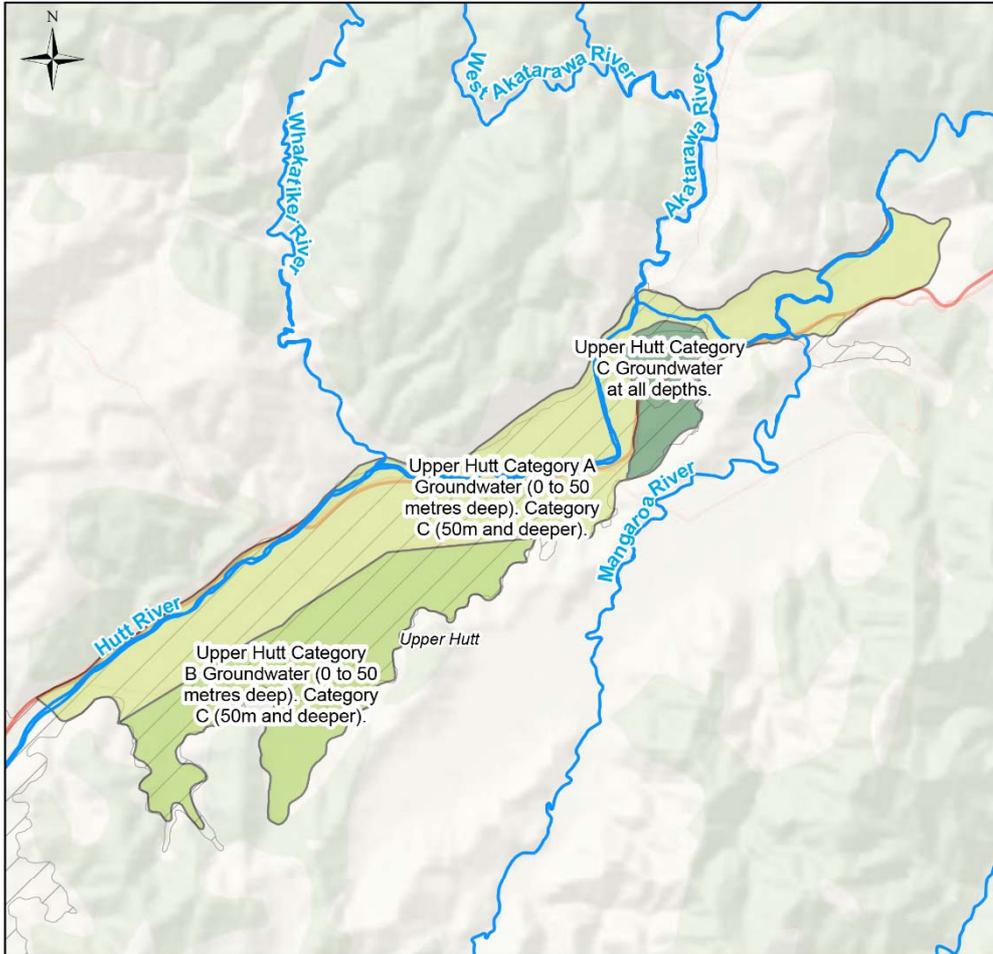
Table 8.3: Groundwater allocation amounts for Category B groundwater and Category C groundwater not directly connected to surface water in the Wellington Harbour and Hutt Valley Whaitua

Catchment management units for the Te Awa Kairangi/Hutt River catchment (shown in Figures 8.1 and 8.2)	Allocation amount (m ³ /year)
Upper Hutt category B groundwater (not directly connected) and Upper Hutt category C groundwater	770,000
Lower Hutt category B groundwater (not directly connected)	36,500,000 [Waiwhetu Aquifer and Taita Alluvium] ²

Note: Where category B groundwater is referred to in table 8.3, the calculated stream depleting effect (described in Table 4.1) is included in the surface water allocation for the relevant catchment management unit, while the remainder is included in the groundwater allocation for the relevant catchment management unit.

² This allocation volume includes depletion equating to 600 L/sec from the Te Awa Kairangi/Hutt River

Figure 8.1: Te Awa Kairangi/Hutt River and Upper Hutt groundwater in Tables 8.2 and 8.3



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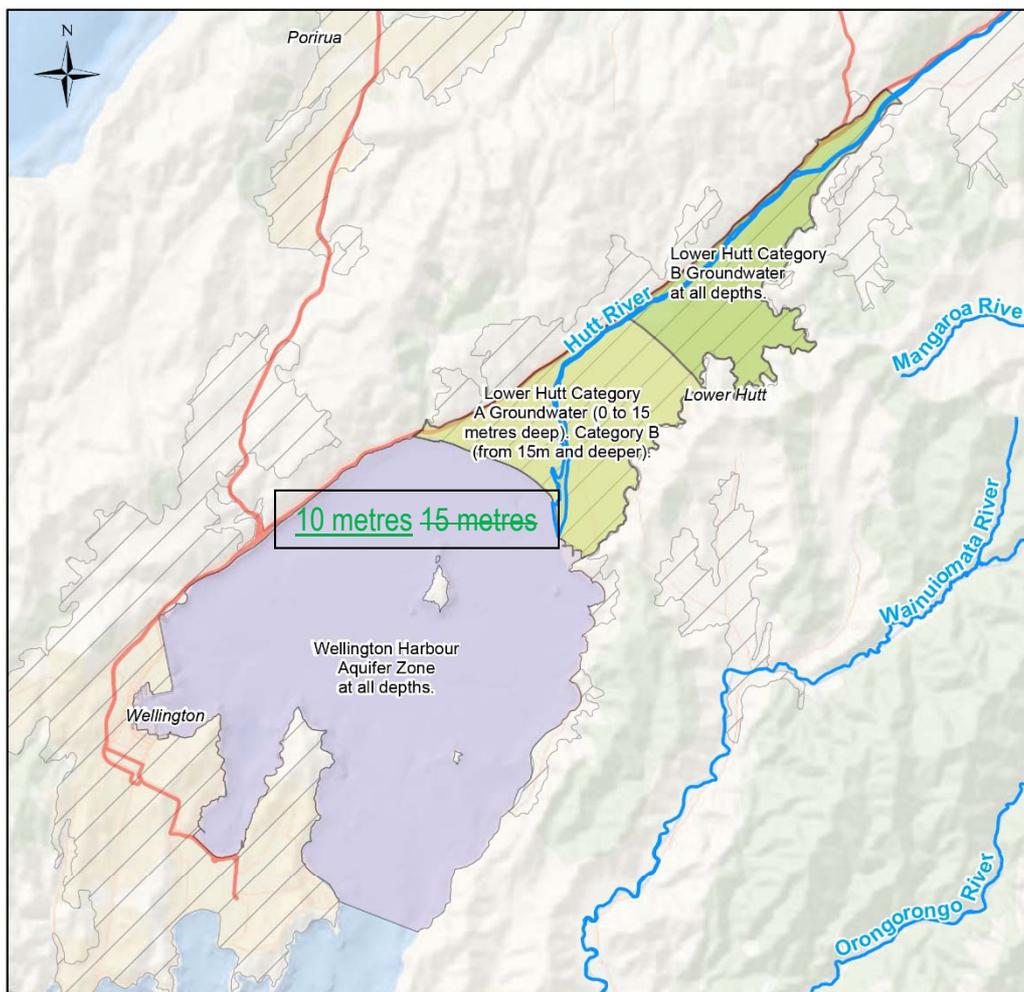


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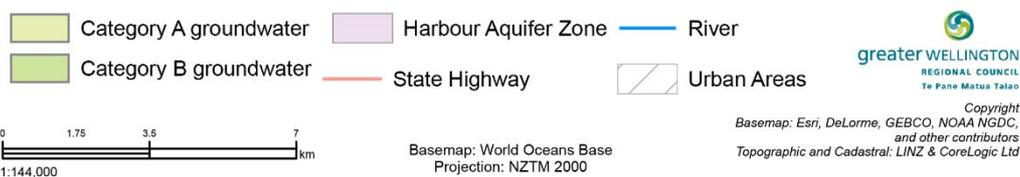


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Figure 8.2: Te Awa Kairangi/Hutt River and Lower Hutt groundwater in Tables 8.2 and 8.3



This version of the map is not complete. The version of this map available online through the online web map viewer shows the complete, detailed information on a GIS overlay that is not shown on this hard copy. The online version is available on the Council's website at <https://mapping.gw.govt.nz/gwrc/> (select theme **Proposed Natural Resources Plan 2045**) and can be accessed from the Council offices or public library.



9 Te Awarua-o-Porirua Whaitua

Minimum flows or water levels referred to in the Plan are interim to the extent that they will be reviewed by whaitua committees and may be amended by plan changes or variations following recommendations of whaitua committees.

9.1 Policies

In addition to policies on minimum flows or water levels that follow, policies in chapter 4 of the Plan also apply equally to minimum flows or water levels for the Te Awarua-o-Porirua Whaitua.

Policy P.P1: Minimum flows and minimum water levels in Te Awarua-o-Porirua Whaitua

Minimum flows and **minimum water levels** in Te Awarua-o-Porirua Whaitua are:

- (a) for rivers, 90% of the ~~seven-day~~ **mean annual low flow**, and
- (b) for **natural lakes**, existing **minimum water levels**.

9.2 Rules

~~In addition to rules for the take and use of water that follow, rules in Chapter 5 of the Plan also apply equally to rules for the Te Awarua-o-Porirua Whaitua. If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource rather than a more general rule. This does not apply wWhere a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in Chapter 5.~~

Rule P.R1: Take and use of water – discretionary activity

The take and use of water from any river, lake or groundwater that is not provided for in Rules R136, R137, R138, R139, R140, R140A or R141 in Te Awarua-o-Porirua Whaitua is a discretionary activity.

10 Kāpiti Coast Whaitua

Minimum flows, minimum water levels and **core allocation** referred to in the Plan are interim to the extent that they will be reviewed by **whaitua** committees and may be amended by plan changes or variations following recommendations of **whaitua** committees.

10.1 Policies

In addition to policies on **minimum flows, minimum water levels** and **core allocation** that follow, policies in chapter 4 of the Plan also apply equally to **minimum flows, minimum levels** and **core allocation** in the Kāpiti Coast Whaitua.

Policy K.P1: Minimum flows and **minimum** water levels in the Kāpiti Coast Whaitua

Minimum flows and **minimum water levels** for rivers and lakes in the Kāpiti Coast Whaitua are:

- (a) for rivers (including **tributaries**) in Table 10.1, the **minimum flows** in Table 10.1, and
- (b) for rivers not in Table 10.1, 90% of the **seven-day mean annual low flow**, and
- (c) for **natural lakes**, existing **minimum water levels**.

Policy K.P2: Core allocation for rivers and groundwater in the Kāpiti Coast Whaitua

The maximum amount of water available for allocation from rivers and groundwater in Tables 10.2 and 10.3, at the time an application is made for resource consent to take and use water, shall not exceed whichever is the greater of:

- (a) the total amount allocated by resource consents, or
- (b) the allocation amounts identified in Tables 10.2 and 10.3

except for the take and use of water identified in Policy P117 at flows above the **median flow**.

10.2 Rules

~~In addition to rules for the take and use of water that follow, rules in Chapter 5 of the Plan also apply equally to rules for the Kāpiti Coast Whaitua. If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource rather than a more general rule. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in Chapter 5.~~

Rule K.R1: Take and use of water in the Kāpiti Coast Whaitua – restricted discretionary activity

The take and use of water from any river (including **tributaries**) or groundwater in the Kāpiti Coast Whaitua in Tables 10.2 and 10.3 that is not provided for in Rules R136, R137, R138, R139, R140 R140A or R141 is a restricted discretionary activity provided the following conditions are met:

- (a) the take and use shall not occur below the **minimum flows** in Table 10.1, except that this condition does not apply to:
 - (i) water for the **health needs of people** as part of a **group drinking water supply** or **community drinking water supply** or water for rootstock protection, and
 - (ii) taking groundwater, and
- (b) in any **catchment management unit** in Tables 10.2 and 10.3, the amount of water taken and used, in addition to all **existing resource consents**, does not exceed whichever is the greater of:
 - (i) the maximum allocated by resource consents at the date the consent application is lodged, or
 - (ii) the allocation amounts in Tables 10.2 and 10.3except that this condition does not apply to the take and use of water at river flows above the **median flow**, and
- (c) at flows above **median flow**:
 - (i) the frequency of **flushing flows** that exceed three times the **median flow** of the river is not changed, and
 - (ii) ~~no more than 50% of the river flow above the median flow remains in the river is taken for rivers with mean flows greater than 5m³/sec;~~

For rivers (and their **tributaries**) listed in Table 1 of Schedule V no more than 50% of the portion of flow in the river above the **median flow** is taken at the point of abstraction, or

- (iii) For rivers (and their **tributaries**) listed in Table 2 of Schedule V no more than 10% of the total amount of flow in the river is taken at the point of abstraction, or
 - (iv) For rivers (and their **tributaries**) not listed in either Table 1 or 2 of Schedule V no more than 10% of the total amount of flow in the river at the point of abstraction,¹ and
- (d) the take and use is not in part of a river identified as an outstanding river in Schedule A1 (outstanding rivers).

Matters for discretion

1. The reasonable and efficient use of water, including the criteria in Schedule Q (efficient use)
2. The timing, amount, and rate of taking and using water including instantaneous (L/s), daily (m³/day) and seasonal requirements and duration and timing of peak daily take rate
3. For **group drinking water supplies** or **community drinking water supplies**, the amount and rate of water taken and used for the **health needs of people**
4. Reduction in the rate of take from surface water and **groundwater directly connected to surface water** Category A groundwater and Category B groundwater at times of low flow and restrictions when rivers approach or fall below the **minimum flows or water level including the guideline for stepdown allocations and flows in Schedule R (stepdown guideline)**
5. Effects due to local flow or water level depletion on wetlands, springs or the downstream river reach in the same **catchment management unit**
6. Interference effects on existing lawful water takes
7. Prevention of salt water intrusion into the **aquifer**, or landward movement of the salt water/fresh water interface
8. For a take and use from groundwater, the degree of connectivity and category according to Table 4.1 in category B groundwater (directly connected) or category B groundwater (not directly connected)
9. Preventing fish from entering water intakes
10. Measuring and reporting, including the guideline in Schedule S (measuring takes)

¹ RoR Report: Water allocation, Section 7.11

Rule K.R2: Take and using water – discretionary activity

The take and use of water that is not provided for in Rules R136, R137, R138, R139, R140, R140A or R141 in the Kāpiti Coast Whaitua from:

- (a) any river, lake or groundwater not in Tables 10.2 and 10.3, or
- (b) any river at flows above the **median flow** that does not meet condition (c) of Rule K.R1, or
- (c) any river which does not meet condition (d) of Rule K.R1

is a discretionary activity.

Rule K.R3: Take and use of water from outstanding rivers – non-complying activity

The take and use of water from a river or part of a river in the Kāpiti Coast Whaitua identified as outstanding in Schedule A1 (outstanding rivers) is a non-complying activity.

Rule K.R4: Take and use of water exceeding minimum flows or core allocation – prohibited activity

The take and use of water from a river (including **tributaries**) or groundwater in Tables 10.2 and 10.3 that does not meet conditions (a) or (b) of Rule K.R1 is a prohibited activity.

Table 10.1: Minimum flows for rivers in the Kāpiti Coast Whaitua

River	Management point	Minimum flow (L/s)
Waitohu Stream upstream of the coastal marine area boundary	KCDC Water Supply Intake recorder	140
Ōtaki River upstream of the coastal marine area boundary	Pukehinau recorder	2,550
Mangaone Stream upstream of the coastal marine area boundary	Ratanui recorder	22
Waikanae River upstream of the coastal marine area boundary	WTP recorder	750

Table 10.2: Surface water allocation amounts for rivers and direct connection (category A) groundwater and high connection (category B) groundwater directly connected to surface water in the Kāpiti Coast Whaitua

Catchment management units (shown in Figures 10.1 and 10.2)	Allocation amount ² (L/s)
Waitohu Stream and tributaries, <u>direct connection (Waitohu category A) groundwater and high connection (Ōtaki category B) groundwater (stream depletion) groundwater (directly connected)</u>	45

²This limit has been derived as a default based upon one of two rules; for rivers with a mean flow of greater than 5,000 litres/sec, the allocation limit is equal to 50% of the natural seven-day mean annual low flow (7d MALF) and for rivers with a mean flow of less than 5,000 litres/sec, the allocation limit is equal to 30% of the 7d MALF.

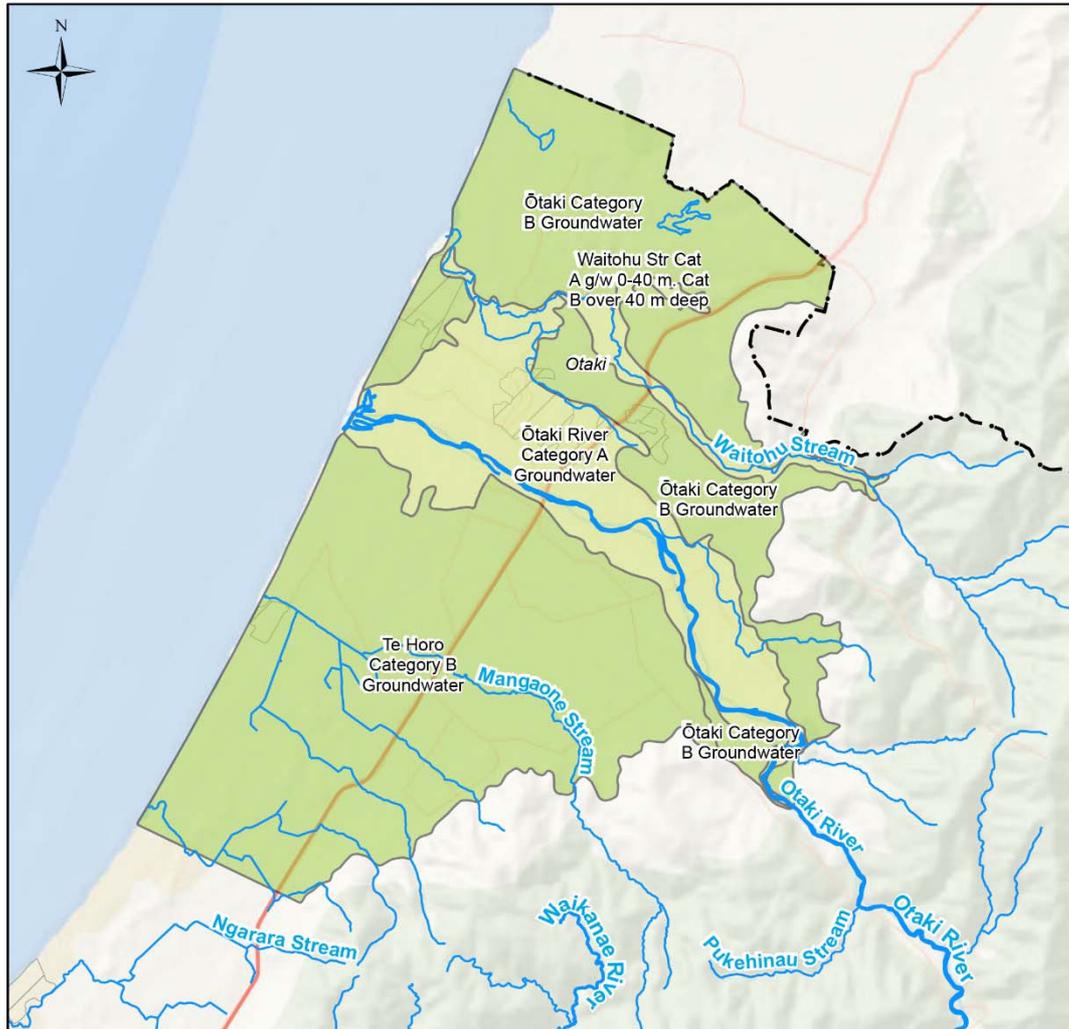
Catchment management units (shown in Figures 10.1 and 10.2)	Allocation amount ² (L/s)
Ōtaki River and tributaries, direct connection (Ōtaki category A) groundwater and high connection (Ōtaki or Te Horo category B) groundwater (stream depletion) (directly connected)	1,970
Mangaone Stream and tributaries, category A groundwater and high connection (Te Horo category B) groundwater (stream depletion) (directly connected)	45
Waikanae River and tributaries, direct connection (Waikanae category A) groundwater and high connection (Waikanae category B) groundwater (stream depletion) (directly connected)	220

Note: Where ~~high connection (category B) groundwater~~ is referred to in the tables, the calculated stream depletion effect (described in Table 4.1) is included in the surface water allocation for the relevant ~~sub~~ catchment management unit, while the remainder is included in the groundwater allocation the relevant ~~sub~~ catchment management unit.

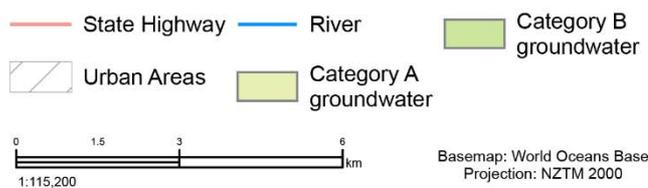
Table 10.3: Groundwater allocation amounts for ~~moderate connection (Category B) groundwater not directly connected to surface water~~ in the Kāpiti Coast Whaitua

Catchment management units (shown in Figures 10.1 and 10.2)	Allocation amount (m ³ /year)
Raumati moderate connection (category B) groundwater (not directly connected)	1,229,000 810,000
Waikanae moderate connection (category B) groundwater (not directly connected)	2,710,000
Te Horo moderate connection (category B) groundwater (not directly connected)	1,620,000
Waitohu moderate connection (category B) groundwater (not directly connected)	1,080,000

Figure 10.1: North Kāpiti rivers and groundwater in Tables 10.2 and 10.3

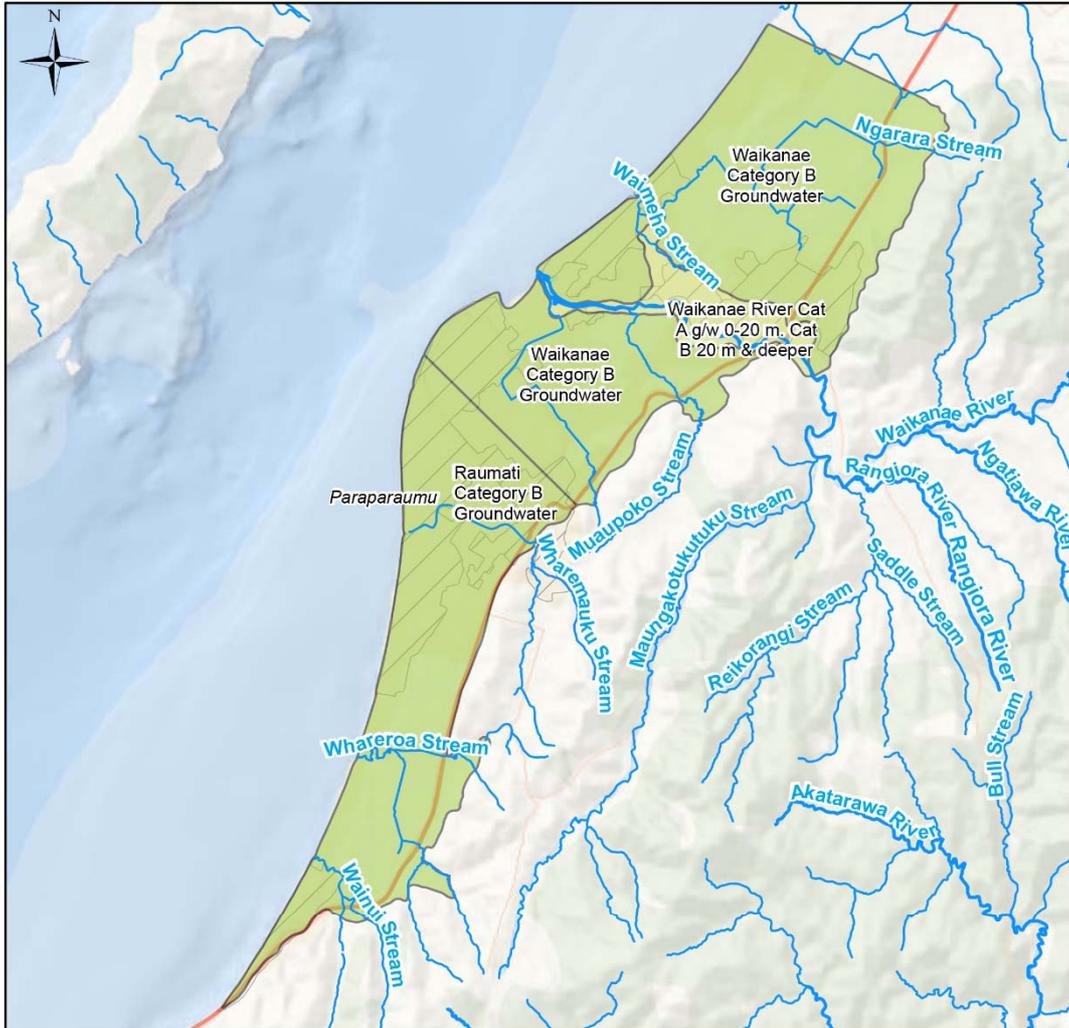


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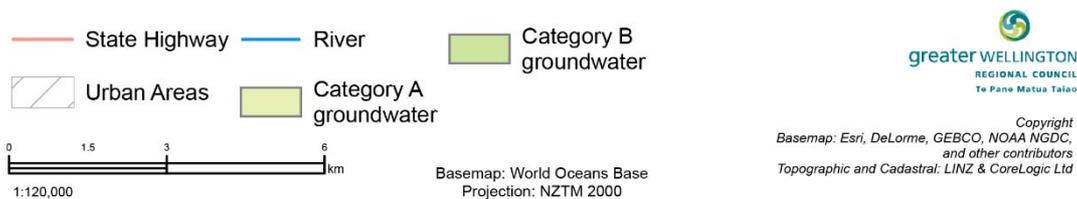


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Figure 10.2: South Kāpiti rivers and groundwater in Tables 10.2 and 10.3



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11 Wairarapa Coast Whaitua

Minimum flows, minimum water levels and core allocation referred to in the Plan are interim to the extent that they will be reviewed by whaitua committees and may be amended by plan changes or variations following recommendations of whaitua committees.

11.1 Policies

In addition to policies on minimum flows and core allocation that follow, policies in chapter 4 of the Plan also apply equally to minimum flows and core allocation for the Wairarapa Coast Whaitua.

Policy WC.P1: Minimum flows and lake levels in the Wairarapa Coast Whaitua

Minimum flows and **minimum water levels** for rivers and **natural lakes** in the Wairarapa Coast Whaitua are:

- (a) for rivers, 90% of the ~~seven-day~~ **mean annual low flow**, and
- (b) for **natural lakes**, existing **minimum water levels**.

11.2 Rules

~~In addition to rules for the take and use of water that follow, rules in Chapter 5 of the Plan also apply equally to rules for the Wairarapa Coast Whaitua. If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource rather than a more general rule. This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in Chapter 5.~~

Rule WC.R1: Take and use of water – discretionary activity

The take and use of water from a river, lake or groundwater that is not provided for in Rules R136, R137, R138, R139, R140, R140A or R141 in the Wairarapa Coast Whaitua is a discretionary activity.

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For more information contact the Greater Wellington Regional Council:

Wellington Office

PO Box 11646
Manners Street
Wellington 6142

T 04 384 5708

F 04 385 6960

info@gw.govt.nz

Upper Hutt Office:

PO Box 40847
Upper Hutt 5018

T 04 526 4133

F 04 526 4171

Wairarapa Office:

PO Box 41
Masterton 5840

T 06 378 2484

F 06 378 2146



info@gw.govt.nz

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