

Proposed Natural Resources Plan:

Submitter:

Waa Rata Estate

Submitter Number:

S152

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

Clause 6 of Schedule 1, Resource Management Act 1991

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

Or email: regionalplan@gw.govt.nz

Your details

Full name: _____
Organisation name: _____
(If applicable) Waa Rata Estate
Address for Service: 149 Terrace Road, Reikorangi, Waikanae RD1, Kapiti Coast

Telephone no's: 027-55-99-157

Contact person: Marian Smith

Address and telephone no (if different from above): _____

Electronic communication

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

Email address: Waa.rata@xtra.co.nz

Trade competition

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

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

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

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

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

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

This submission covers matters detailed below and seeks relief or such other relief as satisfies this submission. It also applies to any consequential amendments that may be required to give effect to the relief sought.

As an introductory comment the rainfall in the foothills on the western side of the Tararua Ranges is high. It has strong flushing capacity. The water quality in the Waikanae River catchment is high. There is strong evidence demonstrating this. This submission seeks to ensure that the specific context of this area is reflected in the provisions. We understand the whaitua approach is intended to do this in part. However the current set of regional-wide provisions apply in a generic way and could be refined to better reflect the different contexts that exist across the region. As a principle we seek relief to ensure the regional-wide provisions reflect the environmental differences between the east and west coast, amongst other characteristics.

Provisions	Reason	Decision sought
The Regional Plan is a complex plan for lay people to navigate.	To enable easier use of the Regional Plan by lay people insert hyperlinks where any/ and all cross references to other parts of the Plan are made. For example listing M1, M2, M3 etc as the relevant methods is meaningless unless you can simply link to what those acronyms mean. A hyperlink would assist the general public in using the plan.	We wish to have the specific provision amended . Add hyperlinks within the electronic document to any cross references to other parts of the Regional Plan to increase its useability for lay people.
Chapter 2 Interpretation: 'Restoration Management Plan'	This definition cross references to schedule F3a which requires that a	We wish to have the specific

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	<p>Restoration Management Plan 'shall be... approved by a General Manager at Wellington Regional Council'. It is inappropriate to bury a second approval process in a schedule without being explicit about it. Note, this requirement adds another approval process in addition to consent processes (eg R106). Delete approval process in schedule F3a. As currently worded the 'Restoration Management Plan' is actually a 'Council-approved Restoration Management Plan'.</p> <p>The Regional Council should be removing barriers to preparing restoration management plans, given this is an activity it likely wishes to encourage.</p>	<p>provision amended.</p> <p>Remove requirement for the restoration management plan to be approved by Council and enable other parties to endorse the plan such as suitably qualified Ecologists, Queen Elizabeth Trust, Department of Conservation, Iwi authorities of the rohe (if they wish), relevant district councils, or other relevant parties.</p>
<p>Chapter 2 Interpretation: Tributary: A river or stream (of any order) that flows into a lake, or larger river or stream.</p>	<p>Some streams disappear underground and do not connect over land with another stream, river etc.</p> <p>For clarity, the definition of 'tributary' needs to clarify that streams that disappear underground before they flow over land into another stream, lake or river are not a tributary.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend definition to be explicit that a: tributary is a river or stream (of any order) that flows <u>over land</u> into a lake...</p>
<p>Map 13a, Schedule F1 Rivers and Lakes with significant indigenous ecosystems: high macroinvertebrate community health</p>	<p>Map 13a is not of a sufficient scale to be able to identify the places to which it applies. This is unacceptable to the public trying to identify what provisions apply to different locations. The scale needs to be made legible.</p>	<p>We wish to have the specific provision amended.</p> <p>Make the scale of the map legible so it is clear in localised areas what provisions apply.</p>
<p>Map 13b, Schedule F1 Rivers and Lakes with significant indigenous ecosystems: Habitat for indigenous fish species of conservation interest</p>	<p>Map 13b is not of a sufficient scale to be able to identify the places to which it applies</p>	<p>We wish to have the specific provision amended.</p> <p>Make the scale of the map legible so it is clear in localised</p>

Provisions	Reason	Decision sought
		areas what provisions apply.
Map 13c, Schedule F1 Rivers and Lakes with significant indigenous ecosystems: Habitat for six or more migratory indigenous fish species	Map 13c is not of a sufficient scale to be able to identify the places to which it applies	We wish to have the specific provision amended . Make the scale of the map legible so it is clear in localised areas what provisions apply.
River classes – Kapiti Coast catchments (Table 3.1) Map 25	Colours used on the map are not clearly distinguishable ie Classes 1 and 4 look similar.	We wish to have the specific provision amended . Amend the colour scheme on the map to ensure the different classes are clearly distinguishable.
Surface Water community drinking water supply protection areas (incorporates schedule M1) Map 26	The water supply protection areas are not clearly distinguishable. Use a better scale to ensure these areas are distinguishable. As users of the plan it is not clear enough to us. Given the highly restrictive nature of provisions that apply to the 'surface water community drinking water supply protection areas', only the areas mapped in blue should be included. In the event that a wider area of application was inadvertently intended then the Regional Council would need to consult affected property owners and a variation to the plan would be required.	We wish to have the specific provision amended . Make the scale of the map legible so it is clear in localised areas where the provisions apply. For clarity and certainty make it clear that only the areas specifically mapped as 'Surface Water community drinking water supply protection areas' are subject to the associated provisions.
Erosion Prone Land Map 33	The map does not identify erosion prone land. It only identifies Land Steepness. The characteristics on the east coast are very different from the west coast and yet no differentiating features are captured.	Oppose. We wish to have the specific provision amended . A more refined approach is

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	<p>The former Area 2 definition associated with erosion prone land in the Regional Soil Plan provided for a slope greater than 28 degrees. This is relevant on the west coast where the landform differs quite significantly to the east coast of the region.</p> <p>It is unclear what evidence there is that has identified any deterioration in the environment on the west coast north of Pukerua Bay (as per Area 2 definition) to warrant such a significant change in the definition of erosion prone land (and hence slope).</p>	<p>required to define erosion prone land and the map needs to better reflect the different landform characteristics to ensure it is identifying erosion proneness rather than steepness, and ensuring stability features in different areas are incorporated.</p> <p>Reinstate the slope of greater than 28 degrees for erosion prone land (for the west of the region) as per the former Area 2 definition in the Regional Soil Plan (given the lack of evidence to move to a slope of 20 degrees).</p>
<p>Schedule I: Important trout fishery rivers and spawning waters</p> <ul style="list-style-type: none"> • Important trout fishery rivers: includes Waikanae River • Important trout spawning waters (specific locations shown in Map 22)¹: Waikanae River: Maungakotukutuku stream 	<p>For the sake of clarity and certainty, clarify that tributaries of Waikanae River on map 22 are not included.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify that tributaries are not included.</p>
<p>Chapter 2 Interpretation: Natural wetland</p> <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>On the western foothills of the Tararua Ranges there are many wet areas given the ephemeral nature of flow paths and this definition would inadvertently include many areas, some predominated by exotic species.</p> <p>A natural ecosystem of plants could include many pest plant species. This definition needs further refinement to ensure it is covering indigenous</p>	<p>We wish to have the specific provision amended.</p> <p>Insert '<u>indigenous</u>' so that it reads '...supports a natural <u>indigenous</u> ecosystem of plants and animals...'</p> <p>Insert in subclause</p>

¹ An indented river is a tributary of the river above

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<p>(a) damp gully heads, or wetted pasture, or pasture with patches of rushes, or</p> <p>(b) areas of wetland habitat 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>systems, rather than exotic species.</p> <p>Rushes are not the only species adapted to wet conditions that are found in damp gully heads or on wetted pasture and the definition should be broadened to a range of exotic species that are adapted to wet conditions.</p>	<p>(a) damp gully heads, or wetted pasture, or pasture with patches of rushes <u>or exotic species adapted to wet conditions</u></p>
<p>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.</p> <p>Objective O17 The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.</p> <p>Objective O17 The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.</p> <p>Objective O28</p>	<p>The definition of 'natural wetlands' is very broad and includes many wet areas with exotic plants adapted to wet conditions. It is therefore very generic in its application and theoretically includes pest plants adapted to wet conditions. Applying the objectives in such a broad way may inadvertently cover areas not intended to be included.</p>	<p>The definition of 'natural wetlands' needs to be refined to ensure a more effective framework for the objectives, policies and related rules.</p>

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<p>The extent of natural wetlands is maintained or increased and their condition is restored.</p>		
<p>Policy P30: Natural buffers The adverse effects of use and development on natural features such as beaches, dunes or wetlands that buffer development from natural hazards shall be minimised.</p>	<p>The Proposed Regional Plan needs to be consistent in the terms it uses. Elsewhere in the plan it refers to 'natural wetlands' but in Policy 30 it uses 'wetlands'. Suggest one term be used consistently.</p>	<p>We wish to have the specific provision amended.</p> <p>For consistency use the term 'natural wetlands'</p>
<p>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: (c) avoiding adverse effects of activities on outstanding natural features and landscapes, and (d) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.</p>	<p>It is not in accordance with section 6 of the RMA to 'protect' landscapes and features that are not identified as outstanding natural landscapes or features (in accordance with the Regional Policy Statement). Policies relating to outstanding natural landscapes and features should be decoupled from policies on other landscapes and features ie amenity values.</p> <p>Natural wetlands are not outstanding natural features unless identified as such in accordance with relevant policies of the Regional Policy Statement.</p> <p>It is inappropriate to include 'natural wetlands' in this policy because of the generic nature of the definition. Natural wetlands include wet areas with (exotic) plants adapted to wet conditions (and will often not be an outstanding nature).</p>	<p>We wish to have the specific provision amended.</p> <p>Delete 'natural wetlands'</p> <p>Delete sub clause (b)</p>
<p>Policy P33: Protecting indigenous fish habitat The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided. These activities include the following: ...</p>	<p>The policy needs to take into account the dynamic nature of some catchments and waterways which can involve significant changes in form and riparian margins as a result of the high rainfall and flushing capacity.</p>	<p>We wish to have the specific provision amended.</p> <p>Insert 'having regard to the nature of the water body's natural processes' at the end of the first sentence</p>

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<p>Policy P37: Values of wetlands Activities in and adjacent to natural wetlands shall be managed to maintain their values including:</p> <ul style="list-style-type: none"> (e) as habitat for indigenous flora and fauna, and (f) for their significance to mana whenua, and (g) for their role in the hydrological cycle including flood protection, and (h) for nutrient attenuation, and (i) as a fisheries resource, and (j) for recreation. 	<p>The definition of 'natural wetlands' is very broad and includes many wet areas with exotic plants adapted to wet conditions. It is therefore very generic in its application. Applying the policy to such a broadly defined area in combination with 'adjacent' areas undermines the intent of the policy.</p>	<p>We wish to have the specific provision amended.</p> <p>The definition of 'natural wetlands' needs to be refined to ensure a more effective policy.</p> <p>Delete 'and adjacent to' given the broad scope of the current policy and 'natural wetlands' definition.</p>
<p>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:...</p>	<p>For the sake of clarity make it clear the policy relates to the coastal marine area.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend the title to read "Policy P49: Use and development in the coastal marine area adjacent to outstanding natural features..."</p>
<p>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</p> <ul style="list-style-type: none"> (k) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and (l) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and (m) significant natural wetlands, including the significant natural wetlands identified in Schedule F3 (significant wetlands), and (n) the ecosystems and habitat-types with significant indigenous 	<p>Some areas listed in Schedules F are of a high quality. In such cases the policy intent should be on maintaining the quality of the existing ecosystem. The assumption appears to be that a low quality exists when there are also situations where it is of a high quality.</p> <p>Restoring significant indigenous biodiversity values requires human intervention and the policy framework and rules should not impede the ability to do this.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend the introduction to the policy to read: Protect, restore <u>or maintain the high quality of the</u> following ecosystems and habitats...</p>

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<p>biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</p>		
<p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</p> <p>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities, other than activities carried out in accordance with a restoration management plan, shall avoid these ecosystems and habitats.</p>	<p>Some areas listed in Schedules F are of a high quality. In such cases the policy intent should also enable the quality of the existing ecosystem to be maintained. The policy assumption appears to be that activities will reduce the quality of ecosystems and habitats (except those in restoration management plans). This is not always the case, particularly in situations where existing activities have been carried out for some time without diminishing the quality of the environment. Furthermore some activities, eg riparian planting, have not been carried out in accordance with a restoration management plan (because such plans are not required at present) and yet likely have positive impacts on these systems.</p>	<p>We wish to have the specific provision amended.</p> <p>After the words 'shall avoid' insert <u>or maintain the high quality of</u> these ecosystems and habitats</p>
<p>Policy P69: Human drinking water supplies</p> <p>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. Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:</p> <p>...</p>	<p>The rules in the Proposed Regional Plan appear to seek to prevent everyday activities with negligible adverse effects on community drinking water supplies. For example, it does not appear to be permitted to place sheep manure around a rose garden. This level of regulation is disproportionate to the intention of the outcome being sought.</p> <p>Therefore the policy needs amending to set out more clearly the framework to guide appropriate activities within a community drinking water supply protection area; allowing flexibility to carry out standard activities with negligible adverse effects on water supply.</p>	<p>We wish to have the specific provision amended.</p> <p>Delete the first word 'The' in the policy and replace it with '<u>More than minor</u> adverse effects from discharges...'</p> <p>Amend the second sentence to say 'Where <u>such</u> adverse effects cannot be avoided...'</p>
<p>Policy P95: Discharges to land</p> <p>The discharge of contaminants to land shall be managed by:</p> <p>...</p> <p>(f) not resulting in a discharge that enters water.</p>	<p>Sometimes water is discharged to land and re-enters the same waterway after it has flowed over or through land. For example when filling a tank to refill stock troughs some over flow may occur.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend (f) to allow for water from the</p>

Provisions	Reason	Decision sought
	Suggest providing for water that is sourced from a waterway to return over land to the same waterway in a relatively natural way.	waterway to re-enter the same waterway
<p>Taking, using, damming and diverting water</p> <p>Policy P107: Framework for taking and using water</p> <p>The framework for the take and use of water recognises:</p> <p>(a) groundwater connectivity to surface water shall be managed as described in Schedule P (groundwater connectivity), and the take and use of water does not exceed allocation amounts provided for in the Plan, and</p> <p>(c) minimum flows or water levels are managed in accordance with the Plan provisions.</p>	For the sake of clarity for the general public ensure that permitted water takes (as provided for in the Resource Management Act) are expressly covered in the policy. This helps people to understand activities that are permitted by law, without having to read the RMA.	<p>We wish to have the specific provision amended.</p> <p>Expressly include in the framework for taking and using water:</p> <ul style="list-style-type: none"> • an individual's reasonable domestic needs; or • the reasonable needs of an individual's animals for drinking water
Rule KW.R1: Taking and use of water in the Kapiti Coast Whaitua – restricted discretionary activity	For the sake of clarity for the general public ensure that permitted water takes are expressly covered in the policy. This helps people to understand activities that are permitted by law, without having to read the RMA Act.	<p>We wish to have the specific provision amended.</p> <p>Expressly include in the framework for taking and using water:</p> <ul style="list-style-type: none"> • an individual's reasonable domestic needs; or • the reasonable needs of an individual's animals for drinking water

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<p>Policy P114: Priorities when demand exceeds supply</p> <p>When the total take and use of water allocated by resource consents above minimum flows or water levels exceeds the core allocation amount, the take and use of water shall be allocated according to the following priorities, in order of importance:</p> <p>(o) the health needs of people, and</p> <p>(d) stock drinking water, and</p> <p>(e) other values.</p>	<p>Provides for people’s appropriate needs.</p>	<p>Support the minimum flows or water levels being allocated according to priorities relating to the health needs of people and stock drinking water.</p>
<p>Chapter 2 Interpretation: 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>(p) water used outside, e.g. for irrigation, vehicle or house washing or hosing but not including water consumed by animals, or</p> <p>(q) water used by industry as process water or cooling water.</p>	<p>Provides for people’s appropriate needs.</p>	<p>Support the definition of ‘health needs of people’</p>
<p>5.1.2 Outdoor burning</p> <p>Rule AQ.R1: Outdoor burning – permitted activity</p> <p>The discharge of contaminants into air from outdoor burning is a permitted activity, provided the following conditions are met:</p> <p>(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</p> <p>(b) there is no burning of specified materials.</p>	<p>It is unclear what noxious, offensive or objectionable means in conjunction with “beyond the boundary of the property”. It is a fundamental probability that smoke will travel beyond a boundary, but whether it is noxious would assist the rules clarity.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify what ‘beyond the boundary of the property’ means (eg height above boundary) or clarify what ‘noxious, offensive or objectionable’ means. This will involve consequential amendments for other rules.</p>
<p>Chapter 2 Interpretation: Good Management Practice</p> <p>Practices, procedures or tools that are effective at achieving the desired performance while providing for desired</p>	<p>Concern that good management practice will be changed without involving the public in a process that provides feedback on these and the new ‘practices’ are then referred to as</p>	<p>We wish to have the specific provision amended.</p> <p>Insert in the</p>

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<p>environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. Good Management Practice guidelines can be found on the Wellington Regional Council's website [enter link when we have it].</p>	<p>appropriate without appropriate community consultation.</p>	<p>definition of 'Good management practice' that such practices are only a guide.</p>
<p>Policy P101: Management of riparian margins In order to maintain or restore aquatic ecosystem health and natural character, and reduce the amount of sediments and nutrients entering surface water bodies, good management of riparian margins shall be encouraged including:</p> <ul style="list-style-type: none"> (r) the exclusion of livestock, and (s) the planting of appropriate riparian vegetation, and (t) the management of pest plants and animals. 	<p>There are many waterbodies to the west of the Tararua Ranges given the high rain fall in this area. Ensuring appropriate access across waterways both for people (eg to access households, public walkways, and vehicle access) and livestock (eg stock bridges etc) is an important way of managing riparian margins. The policy should encourage the appropriate provision of access across waterways as a way to sustainably manage aquatic ecosystem health and riparian margins.</p> <p>Note, people can also be a source of pressure on riparian margins and it is important appropriate access is enabled to manage this effectively especially in more densely populated areas.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend point (a) to read: the exclusion of livestock <u>except to enable stock crossing points</u>, insert new subclause (d) <u>to provide for appropriate construction and maintenance of appropriate tracks or access ways</u></p>
<p>Chapter 2 Interpretation: Livestock exclusion The prevention of animals from accessing a specified area. Fencing is one method of achieving livestock exclusion and fencing can be either permanent or temporary as long as it prevents the animals from accessing the area.</p>	<p>It does not seem appropriate to include examples in a definition. That appears to negate the purpose of a definition. The definition does need to clarify what it does not cover.</p>	<p>We wish to have the specific provision amended.</p> <p>For the sake of clarity, the definition should clarify that it does not include a stock crossing point.</p>

Provisions	Reason	Decision sought
<p>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 except where the reclamation or drainage is:</p> <ul style="list-style-type: none"> (a) 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 (c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or (d) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or (e) associated with the creation of a new river bed and does not involve piping of the river, 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. <p>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.</p>	<p>The policy needs to enable appropriate access and management of naturally wet areas to maintain existing access for both stock and/or people (eg to access households, public walkways, vehicle access, or stock access) that occurs in both rural and urban environments. Not maintaining access is likely to place increased pressure on such areas and would increase risk to health and safety of people.</p> <p>As noted 'natural wetlands' is very broad in definition and its broad coverage will cover areas with unintended consequences.</p>	<p>We wish to have the specific provision amended.</p> <p>Insert new subclause (h) to read: <u>(h) to maintain existing drains, or to repair or maintain existing roads, tracks or infrastructure</u></p> <p>Delete 'natural wetlands' from the policy unless the definition of 'natural wetlands' is further refined not to include wet areas that include exotic species adapted to wet conditions.</p>
<p>Chapter 2 Interpretation: Gully A channel or small valley especially one cut by heavy rain.</p>	<p>The definition is ambiguous and non-specific. A lot of areas could inadvertently be included by definition. For example the term 'channel' could potentially include drains. A 'small valley' could subjectively cover many areas by virtue of undulated landforms. Deleting 'especially one' may increase specificity.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend the definition to provide greater specificity and clarify of what 'gully' means.</p>
<p>Chapter 2 Interpretation: Stock crossing point A location where livestock cross a surface water body from one bank to the other. The locations on each bank are directly opposite each other and are</p>	<p>Important to clarify that a stock crossing point is not a 'livestock exclusion area'.</p> <p>Landforms may not make it practical for locations to be directly opposite</p>	<p>We wish to have the specific provision amended.</p> <p>For clarity, insert "and is not a</p>

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not more than 20 metres wide.	each other. They may be opposing in a plains area, but not always in the hill country where physical constraints may make the crossing point more feasible in areas that are not directly opposite each other (for example if there is a cliff on the opposing side).	livestock exclusion area” to the first sentence of the definition. Amend the definition ‘The locations on each bank are, <u>where practicable</u> , directly opposite each other to read’
<p>Chapter 2 Interpretation: Earthworks The disturbance of a land surface from the time between which soil is first disturbed on a site until the time that 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, and including the regarding and widening of roads and tracks. Earthworks does not include:</p> <p>(a) cultivation of the soil for the establishment of crops or pasture (b) the harvesting of crops (c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying (d) water table maintenance on roads and tracks.</p>	<p>Need to ensure that fencing is not inadvertently covered by definition of earthworks given the focus of the Plan to have fences as a mechanism for fencing off waterways, and for other management purposes.</p> <p>Also important to be able to maintain existing accessways, tracks etc and ensuring that practices to maintain access are not inadvertently covered by the earthworks definition and rules. Maintaining access is fundamental to providing for people’s health and safety.</p> <p>Root raking does not appear to be earthworks but a separate activity ie transforming land use type. All other descriptors in the definition relate to soil movement.</p>	<p>We wish to have the specific provision amended.</p> <p>Insert new subclauses (e) to include: (e) constructing or maintaining fences, and (f) maintaining existing accessways or tracks</p> <p>Delete ‘root raking’</p>
<p>5.4.3 Livestock exclusion Rule LW.R92: Access to the beds of Category 3 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 the discharge of sediment and effluent to a Category 3 surface water body is a permitted activity, provided the following conditions are met: (a) other than at a stock crossing point the access does not result in pugging of the bed (including the banks) of a lake or river, and (b) the access does not cause a conspicuous change in colour or visual</p>	Allows appropriate access to water bodies while ensuring adverse effects on water quality are appropriately managed.	Support

Provisions	Reason	Decision sought
clarity beyond the zone of reasonable mixing.		

Provision	Reason	Decision Sought
<p>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 [...]</p>	<p>It is unclear what noxious, offensive or objectionable means in conjunction with “beyond the boundary of the property”. It is a fundamental probability that smoke will travel beyond a boundary.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify what ‘beyond the boundary of the property’ means (eg height above boundary) or clarify what ‘noxious, offensive or objectionable’ means. This will involve consequential amendments for other rules.</p>
<p>Reference to: ‘the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property’, or similar text in the following rules</p> <p>Rule R2: Frost prevention devices – permitted activity</p> <p>Large scale combustion activities Rule R7: Natural gas and liquefied petroleum gas – permitted activity scale combustion activities Rule R8: Diesel or kerosene – permitted activity Rule R9: Biogas – permitted activity Rule R10: Untreated wood – permitted activity Rule R11: Coal, light fuel oil, and petroleum distillates – permitted activity</p> <p>Drying and kiln processes Rule R35: Drying and heating of minerals – permitted activity Rule R36: Agrichemicals – permitted activity</p>	<p>It is unclear what noxious, offensive or objectionable means in conjunction with “beyond the boundary of the property”. It is a fundamental probability that smoke will travel beyond a boundary.</p> <p>Note, need to preserve ability of large scale generators to be used accessibly because may be required in case of emergency when other electricity sources are damaged. Property boundaries may be unclear in such events.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify what ‘beyond the boundary of the property’ means (eg height above boundary) or clarify what ‘noxious, offensive or objectionable’ means. This will involve consequential amendments for other rules.</p>
<p>Chapter 2 Interpretation: ‘specified materials’</p>	<p>Subclause ‘o’ is very generic and needs greater specificity so people know what it means.</p> <p>It needs to be clear that greenwaste is not inadvertently captured by the definition, for</p>	<p>We wish to have the specific provision amended.</p> <p>Add greenwaste to the exclusion list in the definition so it is clear</p>

Provision	Reason	Decision Sought
	example inadvertently included as part of 'domestic waste'.	that this is not captured by the definition of 'specified materials'
Rule R12: Emergency power generators – permitted activity	Need to preserve the ability of large scale generators to be used accessibly because may be required in case of emergency when other electricity sources are damaged.	Support
<p>Ground-based and aerial applications</p> <p>Rule R36: Agrichemicals – permitted activity</p> <p>The discharge of agrichemicals into air or onto or into land where it may enter water is a permitted activity, provided the following conditions are met:</p> <p>For all applications excluding residential areas and hand-held/knapsack applications:</p> <p>(a) ..., and</p> <p>(b) the discharge shall be in accordance with the rate specified on the agrichemical product label or the manufacturer's instructions, and</p> <p>(c) the agrichemical is in accordance with the Hazardous Substances and New Organisms Act 1996, and</p> <p>(d) there is no aerial spraying in residential areas, and</p> <p>(e) there is no discharge into water or within a community drinking water supply protection area, and</p> <p>(f) the discharge shall be in accordance with <i>NZS 8409:2004 Management of Agrichemicals</i>, including:</p> <p>(i) [...]</p> <p>(g) the applicator, manager or owner of the property shall prepare a spray plan at least once per annum, and:</p> <p>(i) identify sensitive areas adjacent to where discharges of agrichemical shall occur in accordance with <i>NZS 8409:2004 Management of Agrichemicals: Section 5.3</i></p>	<p>Unclear how plant pests are to be effectively and practically controlled inside community drinking water supply protection area (eg prickly mooses, buddliar, barberry, gorse, tutu, blackberry). These areas will likely become infested with pest plants. More flexibility in such areas would have long term gains for the environmental outcomes achieved.</p> <p>Also very unclear what a 'public amenity area' is. This should be clearly identified as areas owned by local or central government and subject to a reserve or conservation status. This is to ensure the rule does not inadvertently include private land.</p> <p>The location of discharges 'adjacent' to a sensitive area is open to interpretation. For example, discharges on a property adjoining another with a dwelling located on it could be considered adjacent even if the dwelling is located a kilometre away from the discharge. For clarity the location should be clearer ie within 20 metres of a sensitive area.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend to ensure that pest plants are permitted to be controlled in community water supply protection areas.</p> <p>Amend what a 'public amenity area' is to ensure that it does not inadvertently include private land.</p> <p>Amend to specify the distance set back (eg 20 metres) for discharges adjoining (rather than adjacent to) a sensitive area.</p>

Provision	Reason	Decision Sought
<p>and Appendix M4, and</p> <ul style="list-style-type: none"> (ii) notify adjacent neighbours that a spray plan is available on request at start of a spray season, or (iii) gain written agreement from adjoining neighbours that notification is not required, and (iv) supply a copy of the spray plan at least 24 hours prior to the discharge of agricultural chemicals 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 <p>(h) for ground-based applications by a commercial applicator</p> <p>...</p> <p>(i) for ground-based applications where the applicator is not a commercial applicator the applicator shall:</p> <p>...</p> <p>(j) for aerial applications the applicator shall:...</p> <p>(k) all agricultural chemicals shall be securely contained ...</p> <p>(l) all mixing and application of agricultural chemicals shall be conducted in accordance with...</p> <p>(m) records are kept ...</p> <p>(n) in public amenity areas the applicator shall:</p> <ul style="list-style-type: none"> (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 chemicals shall display prominent signs (front and back) advising that spraying is in progress, and <p>(o) for discharges adjacent to a sensitive area ...</p>		
Chapter 2 Interpretation: 'Sensitive	It needs to be clear that private	We wish to have the

Provision	Reason	Decision Sought
<p>Area': A sensitive area includes the following:</p> <p>(a) dwelling house, and</p> <p>(b) educational facilities, and</p> <p>(c) amenity areas and public places, and</p> <p>(d) group drinking water supplies and community drinking water supply protection areas, and</p> <p>(e) surface water bodies and associated riparian vegetation, and</p> <p>(f) non-target plants, crops, which are sensitive to agricultural chemicals, and</p> <p>(g) organically certified properties, e.g. Bio-Gro, and</p> <p>(h) natural wetlands, outstanding water bodies listed in Schedule A and ecosystems and habitats with significant indigenous biodiversity values listed in Schedule F.</p>	<p>land is not included in 'amenity areas' or 'public places'.</p> <p>Including 'associated riparian vegetation' is ambiguous about where this begins and ends. The inclusion of 'surface water bodies' is sufficient for the definition and intent of 'sensitive area'.</p> <p>Including 'natural wetland' is unnecessary given that this term covers wet areas and plants adapted to wet conditions (ie many parts of the western side of the Tararua Ranges).</p>	<p>specific provision amended.</p> <p>Exclude private land from amenity areas and public places.</p> <p>Delete from the definition of sensitive areas:</p> <ul style="list-style-type: none"> • 'and associated riparian vegetation' and • 'natural wetlands'
<p>Rule R37: Agricultural chemicals into water – permitted activity</p> <p>The discharge of agricultural chemicals into water is a permitted activity, provided the following conditions are met:</p> <p>(a) the agricultural chemical is approved by the Environmental Protection...</p> <p>(b) the discharge shall be in accordance with...</p> <p>(c) for ground-based applications the applicator shall hold either:</p> <p>(i) a current GROWSAFE® ...</p> <p>(ii) New Zealand Qualification...</p> <p>(d) for aerial applications the applicator shall hold either:</p> <p>(i) a Pilots' Agricultural Chemical Rating Certificate...</p> <p>(ii) the company...</p> <p>(e) the applicator shall notify:</p> <p>(i) every person taking water for potable supply within 1km downstream of the proposed discharge 12 hours before the discharge begins, and</p> <p>(ii) each resource consent holder for taking water from a community drinking water supply protection area downstream of the</p>	<p>Some waterbodies are ephemeral or flow underground rather than over land to other rivers. Should be an exception in these cases, particularly where the intensity of discharge is low.</p> <p>Add an exclusion where the discharge is to water where there is no surface water body that flows over land into a tributary of the community drinking water supply protection area.</p> <p>Impractical to notify every person taking water for potable supply within 1km downstream of the proposed discharge 12 hours before discharge begins. Provisions are, for example, impractical for people with dwellings and gardens in rural and urban areas. Just because the application may be of low intensity does not mean substance is not an agricultural chemical. Should be clearer about the level of intensity.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend so that it is clear the discharge of agricultural chemicals is to a surface water body that flows <u>over land</u> as part of a tributary or main water body (ie not water bodies that disappear underground and do not connect with the main river trunk).</p> <p>Limit notification to just the regional council and not all consent holders or all persons with potable water supply.</p> <p>Amend to ensure a 'public amenity area' does not inadvertently include private land.</p>

Provision	Reason	Decision Sought
<p>discharge one week before the discharge begins, and</p> <p>(f) in a public amenity area the applicator shall:</p> <p>(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</p> <p>(ii) alongside roadways, vehicles associated with spraying agricultural shall display prominent signs (front and back) advising that spraying is in progress.</p>	<p>Notification should only be to regional council not all consent holders 1km downstream regarding a community drinking water supply protection area.</p> <p>Unclear what a public amenity area is? This is not a defined term and therefore is ambiguous and more clarity is required.</p>	
<p>Rule R44: Pool and spa pool water – permitted activity</p> <p>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:</p> <p>(a) the discharge is not into a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), and</p> <p>(b) the discharge shall not contain any filter backwash water...</p> <p>(c) the swimming pool or spa pool is not covered, and has not been treated...</p> <p>(d) if the discharge enters fresh water...</p> <p>(e) the discharge shall not result in water or contaminants discharging onto another property.</p>	<p>Needs to be explicit that any individual property is permitted (re pools) not just residential properties. Cumulative effect of residential properties is likely to be greater than individual occurrences in rural areas.</p> <p>It is unclear what discharge into ‘a site or habitat’ means. There needs to be certainty and specificity as to the application of the rules.</p>	<p>We wish to have the specific provision amended.</p> <p>Amend it to read ‘an individual property’ instead of ‘a residential property’.</p> <p>Clarify that in relation to (a) it relates only to sites that are specifically mapped in the Proposed Regional Plan. It does not mean discharges on to land near a possible site/habitat or near a mapped site.</p>
<p>Stormwater</p> <p>Rule R48: Stormwater from an individual property – permitted activity</p> <p>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:</p>	<p>The rule is unclear about locational matters. For example does it include the discharge from a culvert (as stormwater) at the headwaters of a river that flows downstream and enters a salt marsh at the mouth of the river many tens of kilometres away (eg in Schedule F3)? This would make the rule unworkable and it would</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify that water travelling through culverts for the purposes of farm tracks is not stormwater.</p>

Provision	Reason	Decision Sought
<p>(a) the discharge is not into a site identified in Schedule A (outstanding water bodies), and</p> <p>(b) the discharge is not from, onto or into contaminated land, and</p> <p>(c) the discharge is not from a local authority stormwater network, a port, airport or state highway, and</p> <p>(d) the discharge shall not contain wastewater, and</p> <p>(e) the concentration of total suspended solids in the discharge shall not exceed:</p> <p>(iii) 50g/m³ where the discharge enters a site or habitat identified in Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), 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</p> <p>[...]</p>	<p>require greater specificity.</p> <p>It is unclear what discharge into ‘a site or habitat’ means. There needs to be certainty and specificity as to the application of the rules.</p>	<p>Clarify that in relation to (e)(i) it relates only to sites that are specifically mapped in the Proposed Regional Plan. It does not mean discharges on to land near a possible site/habitat or near a mapped site.</p>
<p>Rule R53: All other stormwater – discretionary activity</p> <p>The discharge of stormwater into water or onto or into land where it may enter water that is not permitted by Rules R48 or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51 or R52, is a discretionary activity.</p>	<p>There are potential unintended consequences from Rule 48. Similar comments in relation to that proposed rule are relevant to this rule.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify that water travelling through culverts for the purposes of farm tracks is not ‘stormwater’.</p>
<p>Chapter 2 Interpretation: ‘stormwater’: 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>Culverts are an important part of managing existing flow paths to maintain safe and stable farm tracks (not involving any other structure). The use of culverts in these circumstances is good practice and should not inadvertently be subject to additional regulation that may result in perverse impacts.</p>	<p>We wish to have the specific provision amended.</p> <p>Clarify that water travelling through culverts for the purposes of farm tracks is not ‘stormwater’</p>
<p>All other discharges</p> <p>Rule R67: Discharges inside sites of significance – non-complying activity</p> <p>The discharge of water or</p>	<p>The use of ‘may’ is ambiguous. Water is fluid and any upstream discharge (whether expected or unexpected) ‘may’ enter a</p>	<p>We wish to have the specific provision amended.</p>

Provision	Reason	Decision Sought
<p>contaminants into water, or onto or into land where it may enter water:</p> <p>(a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and</p> <p>(b) that is not permitted by Rules R42, R43, R44 or R45</p> <p>is a non-complying activity.</p>	<p>downstream site or habitat listed in subclause (a). For example, Waikanae Saltmarsh is an outstanding water body so any water or contaminant 'may' enter that body from the residential, rural areas, including the treatment plant. Any time there is an unusual storm event it is possible discharges 'may' enter this system no matter how distant.</p>	<p>Amend to ensure more specificity about the circumstances of the discharge (eg scale, frequency, intensity and quality of contaminants by the time it leaves the property in which it is discharged and when it arrives at the site or habitat identified in various schedules).</p> <p>Improve drafting of rule as 'may' is inappropriate and creates ambiguity.</p> <p>Clarify that in relation to (a) it relates only to sites that are specifically mapped in the Proposed Regional Plan. It does not mean discharges on to land near a possible site/habitat or near a mapped site.</p>
<p>Rule R68: All other discharges – discretionary activity</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</p> <p>(a) permitted by Rules R42, R43, R44 or R45, and</p> <p>(b) is not provided for by Rule R67 or any other rule in this Plan</p> <p>is a discretionary activity.</p>	<p>Similar reasons as raised for Rule 67</p>	<p>We wish to have the specific provision amended.</p> <p>Consequential amendments arising from the above.</p>
<p>1.1.2 Discharge of contaminants</p> <p>Rule R69: Minor contaminants – permitted activity</p> <p>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:</p> <p>(a) the contaminant shall not enter water, and</p> <p>(b) the contaminant shall not cause an adverse effect beyond the boundary of the property, and</p>	<p>This rule appears to provide some practical permitted activities</p>	<p>Support</p>

Provision	Reason	Decision Sought
<p>the contaminant is not a hazardous substance.</p>		
<p>Rule R70: Cleanfill material – permitted activity The discharge of cleanfill material onto or into land is a permitted activity, provided the following conditions are met:</p> <p>(a) ... (b) ... (c) ... (d) ... (e) the volume of cleanfill material deposited at a property shall not exceed 100m³, and (f) 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) the cleanfill material shall be stabilised and re-vegetated within six months...</p>	<p>Volume provisions relating to depositing cleanfill material duplicate provisions in district plans. It is unnecessary and does not directly address matters relating to the management of water quality.</p> <p>All properties within the region vary significantly in size and therefore the volume measure is an inappropriate method of managing adverse effects and other measures would achieve more appropriate outcomes.</p> <p>Where cleanfill is sourced from within the property then it is unnecessary for the volume and origin etc of the material to be recorded.</p>	<p>We wish to have the specific provision amended.</p> <p>Delete the subclause specifying a volume of 100m³ (ie (e))</p> <p>In situations where the material is sourced and deposited within the same property, exempt the requirement (in (f)) to record cleanfill information</p>
<p>Rule R71: Pit latrine – permitted activity The discharge of domestic wastewater onto or into land and the associated discharge of odour from a new pit latrine is a permitted activity, provided that the following conditions are met:</p> <p>(a) the pit latrine is not located:</p> <p>(i) within 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 [...]</p>	<p>The definition of ‘gully’ is ambiguous and it does not give additional clarity to the rule, particularly given the specified set back from ‘surface water body’ etc is clear.</p>	<p>We wish to have the specific provision amended:</p> <ul style="list-style-type: none"> • Delete reference to ‘gully’ • This submission seeks better scaled mapping to show the ‘community drinking water supply protection area’ at a local level so it is clear where rules apply.
<p>Rule R72: Composting toilets – permitted activity The discharge of domestic wastewater onto or into land and the associated discharge of odour from a composting toilet is a permitted activity, provided the following conditions are met:</p>	<p>It is appropriate to enable alternative methods of managing the discharge of domestic wastewater.</p> <p>The definition of ‘gully’ is ambiguous and it does not give</p>	<p>Support in part:</p> <p>We wish to amend subclause (c):</p> <ul style="list-style-type: none"> • Delete ‘gully’

Provision	Reason	Decision Sought
<p>(a) the discharge shall occur on the property where the composting toilet is located, and</p> <p>(b) the discharge has been aerobically composted for more than 12 months from the last addition of raw domestic wastewater, and</p> <p>(c) the discharge is not within 50m of a surface water body, the coastal marine area, gully, or bore used for water abstraction for potable supply, and</p> <p>(d) the discharge of odour is not offensive or objectionable beyond the boundary of the property.</p>	<p>additional clarity to the rule, particularly given the specified set back from 'surface water body' etc is clear.</p>	
<p>Rule R73: Greywater – permitted activity The discharge of greywater onto or into land and the associated discharge of odour is a permitted activity, provided the following conditions are met:</p> <p>(a) the discharge shall occur within the boundary of the property, and</p> <p>(b) the application rate of greywater shall not exceed a maximum daily volume of 2,000L, and</p> <p>(c) the discharge is not located within:</p> <p>(i) 20m of a surface water body or the coastal marine area, or bore used for water abstraction for potable supply, or</p> <p>(ii) 20m of the boundary of the property, unless the land application system consists of a pressure compensating drip irrigation system where the boundary set back is 5m, and</p> <p>(d) the discharge shall not pond on the surface of the ground...</p> <p>(e) the discharge of odour is not offensive ...</p>	<p>Enables alternative methods of managing the discharge of greywater</p>	<p>Support</p>
<p>Rule R74: Existing on-site wastewater systems – permitted activity The discharge of domestic wastewater onto or into land and the associated discharge of odour from an on-site domestic wastewater treatment and discharge system that</p>	<p>Maintenance needs to include entire replacement of all (or part) of the system where it provides the same or better wastewater treatment than currently exists. Otherwise if the system can not be</p>	<p>We wish to have the specific provision amended:</p> <p>Permit replacement of the on-site domestic</p>

Provision	Reason	Decision Sought
<p>exists at the date of public notification of the Proposed Natural Resources Plan (31.07.2015) is a permitted activity provided the following conditions are met:</p> <p>(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 dwelling, and</p> <p>(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</p> <p>(c) the on-site domestic wastewater treatment and discharge system is:</p> <p>(i) operated and maintained in accordance with the system design specification for maintenance ...</p> <p>(ii) the system is performing effectively, ...</p> <p>(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</p> <p>(e) there is no direct discharge to groundwater, a surface water body or above ground level, and</p> <p>(f) the discharge of odour is not offensive or objectionable beyond the boundary of the property.</p>	<p>replaced then the outcome could be maintenance of lower quality systems as a way to avoid additional consenting requirements.</p>	<p>wastewater treatment and discharge system if it provides the same or better quality wastewater treatment discharges</p>
<p>Rule R75: New or upgraded on-site wastewater systems – permitted activity</p>	<p>The definition of ‘gully’ is ambiguous and it does not give additional clarity to the rule, particularly given the specified set back from ‘surface water body’ etc is clear.</p> <p>Replacement of an existing system in a community drinking water</p>	<p>We wish to have the specific provision amended:</p> <ul style="list-style-type: none"> • Delete ‘gully’ from (e)(i) • Permit replacement of an existing system in a community

Provision	Reason	Decision Sought
	<p>supply protection area that provides an appropriate level of wastewater treatment should be permitted. Otherwise if the system can not be replaced then the outcome could be maintenance of lower quality systems as a way to avoid additional consenting requirements.</p>	<p>drinking water supply protection area if it provides if it provides the appropriate level of wastewater treatment</p>
<p>Rule R76: New or upgraded on-site 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 from a new or upgraded 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:</p> <p>(h) the discharge shall occur within the boundary of the property, and</p> <p>(i) the on-site domestic wastewater treatment and discharge system design shall meet the requirements...</p> <p>(j) the flow allowance used to calculate the system design flow must be no less than 145L per person per day...</p> <p>(k) the discharge shall consist only of contaminants normally associated with domestic sewage, and</p> <p>(l) the discharge is not located within:</p> <p>(i) 20m of a surface water body, coastal marine area, gully or bore used for water abstraction for potable supply, or</p> <p>(ii) 20m of the boundary of the property unless the land application system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or</p> <p>(iii) 0.1m of the soil surface</p>	<p>As above, replacement of an existing system in a community drinking water supply protection area that provides the appropriate level of wastewater treatment than currently exists should be permitted. Otherwise if the system can not be replaced then the outcome could be maintenance of lower quality systems as a way to avoid additional consenting requirements.</p> <p>The definition of ‘gully’ is ambiguous and it does not give additional clarity to the rule, particularly given the specified set back from ‘surface water body’ etc is clear.</p>	<p>We wish to have the specific provision amended:</p> <ul style="list-style-type: none"> • Delete ‘gully’ • This submission seeks better scaled mapping to show the ‘community drinking water supply protection area’ at a local level so it is clear where rules apply • Permit replacement of an existing system in a community drinking water supply protection area if it provides the appropriate level of wastewater treatment

Provision	Reason	Decision Sought
<p>unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, and</p> <p>(m) the on-site domestic wastewater treatment and discharge system is operated and maintained in accordance with the system design...</p> <p>(n) the discharge does not exceed 14,000L/week or a maximum daily volume of 2,000L, and</p> <p>(o) the system is performing effectively....</p> <p>(p) the wastewater is discharged evenly to the entire filtration surface of the discharge field...</p> <p>(q) the following reserve areas shall be provided:</p> <p>(i) for primary treatment systems using a discharge field basal loading rate...</p> <p>(ii) for pressure compensating drip irrigation systems, no reserve area is required, or</p> <p>(iii) for all other systems, the reserve area must be not less than 50% of the discharge field, and</p> <p>(r) the discharge of odour is not offensive or objectionable beyond the boundary of the property.</p> <p>Matters of control</p> <ol style="list-style-type: none"> 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 <i>E.coli</i> 5. Risk of accident or an unforeseen event causing significant adverse effects on water quality 		
<p>Rule R77: Application of Aa biosolids to land – permitted activity</p>	<p>It is unclear to a lay person what aa, bb, and ba biosolids are. It is</p>	<p>We wish to have the specific provision</p>

Provision	Reason	Decision Sought
<p>Rule R78: Application of biosolids (Ab, Ba, or Bb) to land – restricted discretionary activity</p> <p>[These rules relate to community water supply protection areas]</p>	<p>important these are clear when rural landowners are often responsible for providing wastewater treatment on-site.</p> <p>This rule should not include wastewater treatment of domestic waste.</p>	<p>amended:</p> <p>Clarify the meaning of AA, Ab, Ba, and Bb biosolids so lay people know what they are.</p> <p>Exclude wastewater from domestic on-site treatment systems from these rules.</p>
<p>Treated wastewater</p> <p>Rule R79: Discharge of treated wastewater – 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:</p> <p>(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</p> <p>Rule R80: Discharge of treated wastewater – restricted discretionary activity The discharge of treated wastewater onto or into land, and the associated discharge of odour that does not meet the conditions of Rule R79 is a restricted discretionary activity provided the following conditions are met:</p> <p>Matters for discretion</p> <p>1. Effects on community drinking water supply water quality</p>	<p>There is no evidence that human effluent is affecting the quality of water in the Waikanae River water supply catchment and therefore it is inappropriate to impose additional consenting requirements for the treatment of wastewater in the ‘community drinking water supply protection area’.</p> <p>It would be more appropriate to set a quality standard for treatment of domestic wastewater, including discharges onto land, to enable systems of an appropriate standard in a community drinking water supply protection area (as is currently the case).</p> <p>Requiring a discretionary restricted consent is inappropriately restrictive where a wastewater treatment system meets or exceeds appropriate standards in a community drinking water supply protection area.</p> <p>It is also important to note that the district’s community water supply plant ensures pathogens are treated as part of the water supply.</p>	<p>We wish to have the specific provision amended:</p> <p>Permit discharge of treated wastewater if it meets a certain standard within the community drinking water supply protection area. If such a standard is met it is inappropriate to require a consent subject to discretionary restricted activity status.</p> <p>Note this submission seeks better scaled mapping to show the ‘community drinking water supply protection area’ at a local level so it is clear where rules apply</p>
<p>Fertiliser and animal effluent</p> <p>Rule R82: Application of fertiliser from ground-based or aerial applications – permitted activity The discharge of fertiliser onto or into land or into air is a permitted activity, provided the following conditions are met:</p>	<p>This rule is practical. There are many small surface water bodies on the western side of the Tararua Range foothills. Every reasonable endeavour should be taken to ensure discharges are not onto or into a surface water body. There</p>	<p>Support in part:</p> <p>Insert in (a) the words: <u>every reasonable endeavour is made to ensure</u> the discharge is not onto or into a</p>

Provision	Reason	Decision Sought
<p>(a) the discharge is not onto or into a surface water body or beyond the boundary of the property...</p> <p>(b) the discharge of odour is not offensive or objectionable beyond the boundary...</p> <p>(c) for aerial discharges, the pilot shall record details of...</p>	<p>remains a low risk that due to ephemeral water bodies some discharges may find there way into a surface water body as a result.</p>	<p>surface water body...</p>
<p>Rule R83: Discharge of collected animal effluent onto or into land – controlled activity</p> <p>The discharge of collected animal effluent, including sludge, onto or into land and the associated discharge of odour from:</p> <p>(a) dairy farms,</p> <p>(b) piggeries,</p> <p>(c) poultry farms,</p> <p>(d) other premises involving the concentration of animals in a confined area</p> <p>is a controlled activity, provided the following conditions are met:</p> <p>(e) the discharge is not located within:</p> <p>(i) 20m of a surface water body, the coastal marine area, or bore used for water abstraction for potable supply, or</p> <p>(ii) 20m of the boundary of the property, or</p> <p>(iii) a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b or Map 27c, and</p> <p>(f) the discharge shall not pond on the surface of the ground or runoff from the discharge area, and</p> <p>(g) the animal effluent collection, storage and treatment facilities (including, sumps and ponds) are sealed. The permeability of the sealing layer shall not exceed 1x10⁻⁹ m/s, and</p> <p>(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</p> <p>(i) the discharge of odour is not offensive or objectionable beyond the boundary of the property.</p>	<p>This rule does not appropriately address scale, frequency and intensity.</p> <p>It is excessive to require sealing of the ground under woolsheds, given the short period that sheep are concentrated in that confined area. The cost of this provision is excessive, and the outcomes achieved in relation to a woolshed are extremely unclear.</p> <p>Our interpretation is that (given the definition of animal effluent) this could mean putting sheep manure from the woolshed in the rose garden (if it is in a community drinking water supply protection area) is not permitted. This appears to be excessive and unnecessary regulation.</p>	<p>We wish to have the specific provision amended:</p> <ul style="list-style-type: none"> • Clarify in subclause (d) that it involves the concentration of animals in a confined area at intervals of high frequency or for extended periods • Clarify that woolsheds are excluded • Permit the use of manure on gardens in community drinking water supply protection area

Provision	Reason	Decision Sought
<p>Chapter 2 Interpretation: Animal Effluent: Dry or wet, liquid, solid or semi-solid, treated or untreated faeces and urine from animals other than humans, including associated process water, washdown water, contaminants and sludge.</p>		
<p>Rule R85: Application of compost to land – permitted activity The discharge of compost onto or into land, and the associated discharge of odour, is a permitted activity provided the following conditions are met:...</p> <p>Chapter 2 Interpretation: Compost: Any combination of solid or semi-solid vegetable and animal waste that has fully decomposed and matured to a stabilised product. For the purposes of the Plan, compost does not contain human sewage, dead animals or animal parts.</p> <p>Rule R86: Application of compost to land – restricted discretionary activity The application of compost onto or into land and the associated discharge of odour into air that is not permitted by Rule R85 is a restricted discretionary activity.</p>	<p>It is unclear whether sheep manure is considered compost. It would be practical if manure that is used to fertilise gardens is provided for as a permitted activity even in a community drinking water supply protection area.</p>	<p>We wish to have the specific provision amended:</p> <p>For the avoidance of doubt clarify that sheep manure is a stabilised produce.</p>
<p>Vertebrate toxic agents Rule R87: Land-based discharge of vertebrate toxic agents – permitted activity The discharge of vertebrate toxic agents onto or into land via land-based methods is a permitted activity, provided the following conditions are met:...</p> <p>Rule R88: Aerial application of vertebrate toxic agents – controlled activity The discharge of a vertebrate toxic agent onto or into land and where it may enter water by aerial application is a controlled activity, provided the following conditions are met:</p>	<p>Need to be able to carry use vertebrate toxic agents to ensure appropriate stewardship of the land and bush</p>	<p>Support</p>
<p>Refuse, silage and compost Rule R89: Farm refuse dumps – permitted activity The discharge of contaminants onto or into land, and the associated discharge of odour, from a new farm</p>	<p>This rule does not appear to enable the disposal of household compost scraps into your garden, or green waste into a pile, if you are in a community drinking water supply</p>	<p>We wish to have the specific provision amended:</p> <p>Permit waste materials</p>

Provision	Reason	Decision Sought
<p>refuse dump is a permitted activity, provided the following conditions are met:</p> <p>...</p> <p>(d) the farm refuse dump is not located within: [...]</p> <p style="padding-left: 40px;">(iii) a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b, or Map 27c, and</p> <p>Chapter 2 Interpretation: 'Farm refuse dump': A disposal site located on a property used to dispose of household and/or farm waste generated on that property.</p>	<p>protection area.</p> <p>This appears to be excessive regulation for normal day-to-day activities.</p> <p>Provision should allow for waste that is generated onsite to be disposed of onsite.</p>	<p>generated onsite to be disposed of onsite. This would allow appropriate every day activities, such as disposal of household compost and greenwaste, to occur within a community drinking water supply protection area.</p>
<p>Rule R91: Offal pit – permitted activity</p> <p>The discharge of contaminants onto or into land, and the associated discharge of odour, from a new offal pit is a permitted activity, provided that the following conditions are met...</p> <p>(a) the offal pit shall only contain dead animal matter from the property...</p> <p>(b) the offal pit shall not be located within:</p> <p style="padding-left: 40px;">(i) 50m of a surface water body, coastal marine area, gully, or bore used for water abstraction for potable supply, and</p> <p style="padding-left: 40px;">(ii) an area prone to flooding or ponding, and</p> <p>(c) the offal pit shall be located in silty or clay soils, and</p> <p>(d) the bottom of the offal pit is 0.6m above the seasonally highest water table, and</p> <p>(e) stormwater is prevented from entering the offal pit, and</p> <p>(f) the location is recorded, by GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and... available to the Wellington Regional Council upon request, and</p> <p>(g) the offal pit is re-contoured and re-vegetated... within six months of completion.</p> <p>(h) the discharge of odour is not offensive...</p>	<p>The definition of 'gully' is ambiguous and it does not give additional clarity to the rule, particularly given the specified set back from 'surface water body' etc is clear.</p> <p>Not all properties contain silty or clay soils and other soil types can accommodate offal pits. Soil or clay should not be the limiting factor on whether an offal pit is permitted.</p> <p>It is unclear how the Regional Council anticipates dead carcasses will be disposed of where it is not a permitted activity.</p>	<p>We wish to have the specific provision amended:</p> <ul style="list-style-type: none"> • Delete 'gully' • Delete subclause (c) that limits the offal pit to two soil types

Provision	Reason	Decision Sought
<p>All other discharges Rule 92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity The discharge of a contaminant onto or into land that occurs within a community drinking water supply protection area, and is not permitted under Rules R71, R75, R77, R78 or R89 is a restricted discretionary activity provided the following conditions are met: ... Matters for discretion 1. Effects on community drinking water supply water quality</p>	<p>The provision of community drinking water supply protection areas is a very specific matter. Therefore it is appropriate for discretion to be restricted.</p> <p>Note, some proposed rules (which we have submitted on) appear to make simple activities, like putting manure around roses, a very regulated activity. There are likely to be unanticipated activities that will now require consent that were previously common place in these areas. Restrictions should therefore apply to the discretion of council.</p>	<p>Support in part:</p> <p>The application of discretionary restricted activity status – this does not limit the scope of this submission on other rules where relief has been sought and consequential amendments are anticipated</p>
<p>Livestock exclusion 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 excreta to a surface water body is a permitted activity, provided the following conditions are met: (i) 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 (j) 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 (k) the access does not cause a conspicuous change in colour or visual clarity beyond the zone of reasonable mixing in all other locations, and (l) 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</p>	<p>Only allowing stock access every two months reduces the ability to carry out appropriate stewardship of land (ie the proposed rule creates the potential of increasing intensity of land use in one location rather than enabling stock to be moved from one area to another).</p> <p>Only allowing stock access every two months creates health and safety issues for livestock (for example if there is insufficient food or water availability).</p> <p>It is a very large expense to fence (as the likely method) extensive areas of surface water bodies. Where there are extensive areas to fence on a small property, a longer period should be provided due to the economic burden of doing this. Additional transition methods may assist for example providing alternative stock water supply.</p>	<p>We wish to have the specific provision amended:</p> <p>Delete the two month restriction (in subclause (d)(v))</p> <p>Provide substantially longer periods to limit stock access for areas where there are long stretches of surface water bodies relative to property size. Extend the period by including transition methods, for example, provision of alternative stock water supply could be a transition method</p>

Provision	Reason	Decision Sought
<p>or wider can occur where:</p> <ul style="list-style-type: none"> (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, <p>or</p> <ul style="list-style-type: none"> (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, <p>and</p> <p>(m) from three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015):</p> <ul style="list-style-type: none"> (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. 		
<p>Rule R98: Livestock access to the beds of surface water bodies – discretionary activity</p> <p>The use of land for access by any livestock to the bed (including the banks), and the disturbance of the bed and discharge of sediment and excreta to a surface water body that is not permitted by Rule R97, is a discretionary activity.</p>	<p>This seems to impact properties where livestock such as goats, lama, alpaca, horses, and donkeys could access the bed of surface water bodies but would not be permitted by this rule to do so.</p> <p>This rule seems excessive in situations where the scale and intensity of livestock is likely to be</p>	<p>We wish to have the specific provision amended:</p> <p>There needs to be a scale and intensity threshold under which livestock are permitted to access the bed of surface water bodies (for</p>

Provision	Reason	Decision Sought
	very low and impacts on water bodies negligible.	example on low intensity farms, lifestyle blocks, or residential properties).
<p>Earthworks and vegetation clearance Rule R99: Earthworks– permitted activity The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous area up to 3,000m² per property per 12 month period is a permitted activity, provided the following conditions are met:</p> <p>(a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</p> <p>(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</p> <p>(c) work areas are stabilised within six months after the completion of the earthworks.</p> <p>(d) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters:</p> <p>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</p> <p>(ii) any conspicuous change in colour or visual clarity, or</p> <p>(iii) any emission of objectionable odour, or</p> <p>(iv) the rendering of fresh water unsuitable for consumption by animals, or</p> <p>(v) any significant adverse effect on aquatic life.</p>	<p>Farm tracks are a necessary part of sustainably managing natural and physical resources and to provide for people’s health and safety. They provide for safe access, and enable appropriate stewardship of livestock and forestry.</p> <p>The volume permits earthworks of only 3,000m². Earthworks associated with constructing and maintaining farm tracks should be excluded from the volume restriction.</p> <p>There is no evidence that earthworks on the western side of the Tararua Ranges is causing adverse effects on water quality in the Waikanae River catchment.</p>	<p>We wish to have the specific provision amended:</p> <p>Exclude earthworks to construct and maintain farm tracks from the volume restriction to ensure such works are permitted as part of the sustainable management of natural and physical resources.</p>
<p>Chapter 2 Interpretation: ‘Erosion prone land’ The pre-existing slope of the land exceeds 20 degrees.</p>	<p>The former Area 2 definition associated with erosion prone land in the Regional Soil Plan provided for a slope greater than 28 degrees. This is relevant on the west coast where the landform differs quite significantly to the east coast of the region.</p>	<p>We wish to have the specific provision amended:</p> <p>Reinstate the slope of greater than 28 degrees for erosion prone land (for the west of the</p>

Provision	Reason	Decision Sought
	<p>It is unclear what evidence there is that has identified any deterioration in the environment on the west coast north of Pukerua Bay (as per Area 2 definition) to warrant such a significant change in the definition of erosion prone land (and hence slope).</p>	<p>region) as per the former Area 2 definition in the Regional Soil Plan (given the lack of evidence to move to a slope of 20 degrees).</p>
<p>Rule R100: Vegetation clearance on erosion prone land – permitted activity</p> <p>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from vegetation clearance of a contiguous area up to 2ha per property per 12 month period on erosion prone land is a permitted activity, provided the following conditions are met:</p> <p>(e) 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</p> <p>(f) 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:</p> <ul style="list-style-type: none"> (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 adverse effect on aquatic life. 	<p>Refer to submission comments made on the definition of ‘erosion prone land’.</p> <p>The controls on the use of land for vegetation clearance is not aligned with the Kapiti Coast District Plan (both operative and proposed) which permits greater areas of forestry harvest (ie vegetation clearance) as a permitted activity.</p> <p>The 2 hectare restriction in combination with the significant change in defining ‘erosion prone land’ creates excessive regulation and applies irrespective of the proximity of any waterways.</p> <p>There does not appear to be evidence that there are adverse effects relating to the waterbodies west of the Tararua Ranges arising from vegetation clearance.</p>	<p>We wish to have the specific provision amended:</p> <p>Remove the hectare restrictions for vegetation clearance as this is already covered in district plans. If it is not already covered in all district plans then align the rule to the permitted area for forestry harvest in the Kapiti Coast District Plans (ie 10 hectares).</p>
<p>Plantation forestry</p> <p>Rule R102: Plantation forestry harvesting on erosion prone land – permitted activity</p> <p>The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from</p>	<p>Lifestyle blocks often have woodlots that from time to time require harvesting but are not of a scale that would require the detailed harvest plan as for larger operations. The Regional Plan</p>	<p>We wish to have the specific provision amended:</p> <p>Permit plantation forestry harvesting if it is</p>

Provision	Reason	Decision Sought
<p>plantation forestry harvesting on erosion prone land is a permitted activity, provided the following conditions are met:</p> <p>(g) a harvest plan shall be prepared in accordance with Schedule O (forestry plan) and submitted to the Wellington Regional Council...</p> <p>(h) disturbed vegetation or soil is not placed where it can dam or divert a surface water body, and</p> <p>(i) slash is removed from a surface water body where it is blocking river flow or is diverting...</p> <p>(j) work areas are effectively revegetated within 18 months ...</p> <p>(k) any earthworks associated with plantation forestry harvesting shall not, after the zone of reasonable mixing...</p> <p>...</p>	<p>should enable and encourage these types of woodlots and enable harvest subject to basic standards to maintain water quality.</p> <p>The Kapiti Coast District Council permits 10 hectares to be harvested and it would be appropriate to align the plans.</p>	<p>less than 10 hectares in area without submitting a harvest plan given the small scale of operation that is involved.</p>
<p>Rule R103: Plantation forestry harvesting – controlled activity</p>	<p>Wish to ensure that plantation forestry provisions are not duplicated between district and regional plans</p>	<p>Support in part</p>
<p>Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands – permitted activity</p> <p>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:</p> <p>(a) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and</p> <p>(b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland, and</p> <p>(c) damage to part of the foreshore or seabed that forms part of a natural wetland, and</p> <p>(d) diversion of water, and</p> <p>(e) discharge of sediment to water</p> <p>is a permitted activity provided the following conditions are met:</p> <p>(l) only appropriate indigenous wetland species are deliberately</p>	<p>There will be circumstances where it is not appropriate, for health and safety or practical reasons, that only hand-held machinery is used in any area of a 'natural wetland' particularly for spraying pest plants.</p> <p>The strong risk is that people involved in restoring or actively managing natural wetlands will not spray pest plants impacting on the long term viability of these systems.</p> <p>For example, as you drive around the farm on your tractor spraying pest plants, you would have to avoid natural wetland areas. It is unlikely in natural wetland areas, which are not significant, that plant pest control would therefore occur. It is clear that pest plant management is important. Areas like the west coast of the South Island have become very infested</p>	<p>We wish to have the specific provision amended:</p> <p>Amend the subclause to read 'only hand-held machinery is used in any area of significant natural wetland, or outstanding natural wetland'</p> <p>Or alternatively delete the subclause: 'only hand-held machinery is used in any area of the wetland, and'</p>

Provision	Reason	Decision Sought
<p>introduced or planted, and</p> <p>(m) only appropriate pest plant species are deliberately removed or controlled, and</p> <p>(n) only agricultural approved by the Environmental Protection Authority are used, and</p> <p>(o) agricultural are not applied by aerial spraying, and</p> <p>(p) only hand-held machinery is used in any area of the wetland, and</p> <p>(q) 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.</p>	<p>by gorse. That is a likely outcome.</p> <p>Allowing more flexibility in the method of pest plant control is likely to have a greater long term gain to the environmental quality.</p>	
<p>Rule R106: Restoration of natural wetlands, significant natural wetlands and outstanding natural wetlands – controlled activity</p> <p>Activities for the purpose of restoring the indigenous biodiversity of a natural wetland, significant natural wetland or outstanding natural wetland identified in Schedule A3 (outstanding wetlands), that are not permitted by rules R104 and R105, are controlled activities provided the following condition is met:</p> <p>(a) the activities are stipulated in and carried out in accordance with an approved restoration management plan.</p> <p>Matters of control</p> <p>...</p> <p>Notification</p> <p>In respect of Rule R106, applications are precluded from public notification (unless special circumstances apply).</p> <p>Waiver of consent fees</p> <p>To encourage and support the restoration of wetlands, the Wellington Regional Council will waive resource consent fees issued for this rule at its discretion.</p>	<p>As noted in respect of rule R105, there will be circumstances where it is necessary to use methods other than hand held methods as the way to control pest plants, but because of the constraints in rule R105 it is not permitted. This will lead to adverse effects as it will create a perverse incentive not to control pest plants.</p> <p>Rule R106 adds additional approval processes to standard management practices for managing pest plants. The cost of developing "Restoration management plans shall be prepared by or with Wellington Regional Council, or for the Council by a person with the appropriate professional qualifications, and approved by a General Manager at Wellington Regional Council" as required by Schedule 43a (cross referenced in the definition of 'restoration management plan') will dissuade individual landowners from carrying out these activities.</p>	<p>We wish to have the specific provision amended:</p> <p>Remove requirement for the restoration management plan to be approved by Council and allow other parties to endorse the plans such as Queen Elizabeth II Trust, Department of Conservation, Iwi authorities of the rohe (if they wish), suitably qualified Ecologists, relevant district councils, or other relevant parties.</p>
<p>Rule R121: Maintenance of drains – permitted activity</p> <p>The removal of vegetation or bed material and associated sediment from any farm drain, or any highly modified river or stream, including</p>	<p>These provisions are overly complex, do not appear to be practical and therefore create ineffective regulation. It is unclear what outcome is being sought by</p>	<p>We wish to have the specific provision amended:</p> <p>Delete the provisions or</p>

Provision	Reason	Decision Sought
<p>any associated: [...]</p> <p>(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, either:</p> <p>(i) only one side of the drain shall be cleared at any one time, and the other side of the drain may only be cleared three months following completion of the initial works, or</p> <p>(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</p>	<p>the provisions.</p>	<p>amend them to be practical in application.</p> <p>We recommend it would be appropriate to workshop these provisions with people who would be carrying out the activity.</p>
<p>Rule R122: Removing vegetation – permitted activity The trimming or removal of vegetation (including weeds) from the bed of any river or lake, and any associated sediment or bed material attached to the roots of the vegetation being removed, [...] is a permitted activity, provided the following conditions are met: [...]</p> <p>(f) 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</p> <p>(g) any fish (except pest species) and koura removed from the river or lake bed during works shall be returned to the river or lake as soon as practicable, and no later than one hour after removal, and [...]</p> <p>(l) where the activity involves the</p>	<p>The conditions specified in (f), (g), (l) and (m) read as best practice intentions rather than conditions that need to be specified in a rule.</p> <p>The conditions do not appear to be practical and need to be simplified.</p>	<p>We wish to have the specific provision amended:</p> <p>Amend conditions (f), (g), (l) and (m)</p> <p>We recommend it would be appropriate to workshop these provisions with people who would be carrying out the activity</p>

Provision	Reason	Decision Sought
<p>mechanical clearance of aquatic vegetation from a river, either:...</p> <p>(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</p>		
<p>Rule R124: Entry or passage over bed (excluding livestock access) – permitted activity</p> <p>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, 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:</p> <p>(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).</p>	<p>Access to beds of a river are necessary for the sustainable management of natural and physical resources</p>	<p>Support</p>

