

**Proposed Natural Resources Plan for the Wellington Region**

**Supplementary Response to Panel**

**For Hearing Stream 2**

**Report date: 12 January 2018**

**Topic: Soil conservation**

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## **Table of Contents**

Collated Section 32AA assessment for Soil Conservation.....	3
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## Collated Section 32AA assessment for Soil Conservation

This table sets out only the provisions of the notified proposed Plan on this topic **for which submissions were specifically received**. This table does not include provisions for which no specific submissions were received but that may be affected by consequential amendments. Where I have recommended amendments, these are set out below. Additions to the notified text are in underline and deletions are ~~strike through~~ text. The section 32AA assessment follows alongside for each of the provisions where I have recommended amendments. Where I do not recommend any changes, the provision appears in grey.

Red text amendments = recommendations from the officer's s42A report

Blue text amendments = updated recommendations from the officer's Right of Reply

Orange text amendments = updated recommendations from the Supplementary Officer's Right of Reply, or response to Panel

Note that requests for **new** provisions are not included in these tables.

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	2 Interpretation	Earthworks	<p>The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is <b>stabilised</b>. <b>Earthworks</b> includes blading, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking.</p> <p><b>Earthworks</b> do not include:</p> <p>(a) <b>cultivation</b> of the soil for the establishment of crops or pasture, and</p> <p>(b) the harvesting of crops, and</p> <p>(c) thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</p> <p>(d) the construction, repair or maintenance of:</p> <p>(i) pipelines, and</p> <p>(ii) electricity lines, and</p> <p>(iii) telecommunication structures</p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>In (d)(iv)m the construction, repair or maintenance of a bore or geotechnical investigation has been included as this activity is dealt with in Section 5.6.4 of the proposed Plan. I consider it more effective and efficient to include an exemption for this activity here in the definition of the earthworks than in Section 5.6.4.</p> <p>Repair and maintenance of airfield runways are included in subclause (e) as these this activity is treated in the same way as a road or track, and does not require controls through Rule R99 (earthworks). This the most effective option for ongoing repair and maintenance of these structures.</p> <p>Additionally a note is included to exclude any earthworks or soil disturbances associated with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for the insertion of these amendments. There are unlikely to be increased costs to the infrastructure industries or the community from these exemptions.</p>

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			<p>or lines, and</p> <p>(iv) radio communication structures, and</p> <p>(v) firebreaks or fence lines</p> <p>(vi) <a href="#">a bore or geotechnical investigation bore</a></p> <p>(e) repair or maintenance of existing roads and tracks, <a href="#">and airfield runways</a>, and</p> <p>(f) maintenance of orchards and shelterbelts, and</p> <p>(g) domestic gardening, and</p> <p>(h) repair, sealing or resealing of a road, footpath, driveway, and</p> <p>(i) <a href="#">any earthworks or soil disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</a></p>	<p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is an increased benefit to industry by making these exemptions, as this will reduce compliance costs for these activities.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a moderate risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This matter requires recognition by the proposed Plan and provides useful clarification for plan users.</p> <p>There is a potential double-up for bores and geotechnical bores in how provisions are intended to operate and this proposed change will ensure greater effectiveness of provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
	2 Interpretation	Erosion prone land	The pre-existing slope of the land exceeds 20 degrees.	
	2 Interpretation	Plantation forestry harvesting	<p><b><u>Harvesting</u></b></p> <p><del><a href="#">a) means felling trees, extracting trees, thinning of tree stems and extraction for sale or use (production thinning), processing trees into logs, or loading logs onto trucks for delivery to processing plants; but</a></del></p> <p><del><a href="#">(b) does not include—</a></del></p> <p><del><a href="#">(i) milling activities or processing of timber; or</a></del></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>The definition of plantation forestry harvesting duplicates similar definitions in the NES-PF. Therefore, these definitions must be deleted from the proposed Plan to give effect to RMA s44A.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for the insertion of this definition. There are unlikely to be increased costs to the industry or the community from the deletion of these definitions into the proposed Plan.</p>

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			<p><del>(ii) vegetation clearance.</del></p> <p><b>Plantation forestry</b></p> <p><del>means a forest (native or exotic) deliberately established for commercial purposes, being—</del></p> <p><del>(a) at least 1 hectare of forest cover of forest species that has been planted and has or will be harvested or replanted; and</del></p> <p><del>(b) includes all associated forestry infrastructure; but</del></p> <p><del>(c) does not include—</del></p> <p><del>(i) a shelter belt of forest species, where the crown cover has, or is likely to have, an average width of less than 30m; or</del></p> <p><del>(ii) forest species in urban areas; or</del></p> <p><del>(iii) nurseries and seed orchards; or</del></p> <p><del>(iv) trees grown for fruit and nut crops; or</del></p> <p><del>(v) long-term ecological restoration planting of forest species; or</del></p> <p><del>(vi) willows and poplars space planted for soil conservation purposes.</del></p> <p><b>Plantation forestry harvesting</b></p> <p><del>An area of forest, whether of exotic or indigenous species, which is intended to be, or has been, established with the intent to harvest the trees for commercial purposes.</del></p> <p><del>Plantation forestry does not include any area of</del></p>	<p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>No benefits have been calculated for the deletion of this definition but it is likely the benefits to the industry and community will not change.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a high risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>

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			<p><del>trees:</del></p> <ul style="list-style-type: none"> <li><del>(a) — less than 2ha in extent, and</del></li> <li><del>(b) — planted for primarily amenity purposes, for example landscape enhancement or animal shelter, (including farm shelter belts, whether or not greater than 2ha in extent) where the primary purpose of the trees is not commercial harvesting, and</del></li> <li><del>(c) — planted primarily for erosion control, including riparian margin strips, where the primary purpose of the trees is not commercial harvesting, and</del></li> <li><del>(d) — planted for scientific or research purpose, including established arboretums, and</del></li> <li><del>(e) — intended to remain in perpetuity, for instance trees planted for purposes of permanent carbon accumulation, or trees contained in a QEII or similar covenant.</del></li> </ul>	
	2 Interpretation	Stabilised	<p>The process of having made an area of disturbed soil resistant to erosion. This may be achieved by using indurated rock or through the application of base course, or grassing a surface that is not otherwise resistant to erosion. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once 80% vegetative ground cover has been established over the entire area.</p>	

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A1 (S126/026)	2 Interpretation	Vegetation clearance	<p>The clearance or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation.</p> <p><u>Vegetation clearance does not include:</u></p> <p><u>(a) any vegetation clearance, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003, and</u></p> <p><u>(b) any vegetation clearance or vegetation disturbance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</u></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>This amendment is to provide certainty for vegetation clearance, tree removal or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003.</p> <p>Additionally a note is included to exclude any vegetation clearance or disturbance associated with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for the insertion of this exemption to the definition of vegetation clearance. There are unlikely to be increased costs to industry or the community from this insertion for vegetation clearance.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is potentially an increased benefit by providing certainty to plan users for this activity.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a high risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>

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	3 Objectives	3.9 Soil		
A2 (S307/024)	3 Objectives	Objective O42: Soil health and erosion	<p>Soils are healthy, <del>and productive, and</del> retain a range of uses; and accelerated soil erosion is reduced.</p> <p><del>Land use activities, including those that occur on, or involve the use or disturbance of soil, are managed to:</del></p> <p><del>(a) safeguard the life supporting capacity of soil.</del></p> <p><del>(b) maintain, and where they have been degraded, enhance the desirable physical, chemical and biological characteristics of soil that enables a ranges of uses.</del></p> <p><del>(c) reduce accelerated soil erosion; and contribute to safeguarding the life supporting capacity and preserving the natural character of interconnected surface water bodies and their margins, groundwater and the coastal marine area.</del></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>This amendment gives effect to the RMA s5, and RPS Objective 30, which is to ensure soils are healthy and retain a range of uses.</p> <p>By ensuring soils remain healthy, means in-effect there are a wide range of uses that soils can be used for. This ensures the life supporting capacity of soils is maintained.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>There are no costs associated with these recommendations.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is potentially an increased environmental benefit by giving effect to high order documents (RPS, Objective 30) and improving the effectiveness of this provision.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a moderate risk of not acting, that the decisions version will not provide clear outcomes.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>



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	3 Objectives	Objective O47: Sediment runoff	The amount of sediment-laden runoff entering water is reduced.	
	4 Policies	<del>Policy P97: Managing sediment discharges</del>	<p><del>The discharge of sediment to <b>surface water bodies</b> and coastal water from <b>earthworks</b> activities shall be minimised by using a source control approach.</del></p> <p><del><b>Good management practices</b> shall be used in site management, erosion and sediment control design operation and maintenance in order to minimise the adverse effects of sediment laden <b>stormwater</b> discharges.</del></p> <p><del>Effects that cannot be minimised may be appropriately <b>offset</b>.</del></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>I recommend that Policy P97 is deleted. This policy repeats the core elements of Policy P98 as proposed and therefore redundant.</p> <p>The source control approach is a component of good management practices and does not require to be specifically mentioned here in this policy.</p> <p>The additional reference to good management practices repeats the definition of the same in the proposed Plan. This is not effective policy making.</p> <p>Offsetting of sediment discharges is not developed in the proposed Plan, and it is unclear how offsetting would actually work for a discharge, as there is no further explanation on the matter. It is more effective to delete the sentence.</p> <p>This deletion will improve the policy approach for the management of discharges of sediment from land use activities.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for this deletion and none are anticipated.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is potentially an increased benefit by improving the effectiveness of the land use activity provisions.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a moderate risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p>

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				<p>This is the most appropriate decision for the proposed Plan. The deletion removes duplication in the proposed and increases the efficiency for the management of land use activities.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
	4 Policies	Policy P98: Accelerated soil erosion	<p><b>Earthworks, vegetation clearance and plantation forestry harvesting</b> activities that have the potential to result in significant accelerated soil erosion, or to lead to off-site discharges of silt and sediment to <b>surface water bodies</b>, shall use measures, including <b>good management practice</b>, to:</p> <ul style="list-style-type: none"> <li>(a) minimise the risk of accelerated soil erosion, and</li> <li>(b) control silt and sediment runoff, and</li> <li>(c) ensure the site is <b>stabilised</b> and vegetation cover is restored.</li> </ul>	
	5 Rules	5.4.4 Earthworks and vegetation clearance		
A3 (S311/023, S308/033)	5 Rules	Rule R99: Earthworks-permitted activity	<p>The use of land, and the <u>associated</u> discharge of <del>sediment-laden runoff</del> <b>stormwater</b> into water or onto or into land where it may enter water from <b>earthworks</b> <u>of up to a total contiguous area up to of</u> 3000m<sup>2</sup> per <b>property</b> per 12 month period is a permitted activity, provided the following conditions are met:</p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>The discharge of sediment is more effective than the use of sediment laden run-off, as sediment laden run-off is a specific use of words, whereas discharge of sediment captures all discharges of sediment from the activity.</p> <p>The use of the word 'contiguous' has caused confusion and misunderstanding and has the potential to be abused within the context of</p>

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			<p>(a) soil or debris from <b>earthworks</b> is not placed where it can enter a <b>surface water body</b> or the coastal marine area, and</p> <p>(b) <b>earthworks</b> will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the <b>property</b> where the <b>earthworks</b> occurs, and</p> <p>(c) work areas are <b>stabilised</b> within six months after the completion of the <b>earthworks</b>.</p> <p>(d) any <b>earthworks</b> shall not, after the <b>zone of reasonable mixing</b>, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> <li>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in colour or visual clarity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the rendering of fresh water unsuitable for consumption by animals, or</li> <li>(v) any significant adverse effect on aquatic life, <u>and</u></li> </ul> <p><u>(e) earthworks shall not occur within 5m of a surface water body except for activities permitted by Rule R114 or Rule R115.</u></p> <p><u>Note</u></p>	<p>the rule. The replacement words 'up to a total area of 3000m<sup>2</sup>' is more certain about the amount of earthworks able to be achieved per year per property.</p> <p>The insertion of a new clause (e) for a set-back of 5m from a surface water body for earthworks is appropriate and effective, as it will provide a buffer or margin where stream banks can be protected and further reduce any potential discharge of sediment-laden runoff to a surface water body.</p> <p>An exemption has been added to new clause (e) to remove the consequential error with Rule R114 and R115.</p> <p>A note has been included in Rule R99 to exclude any earthworks or soil disturbances associated with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for the insertion of these new words 'discharge of sediment' or 'up to a total area' of 0.3ha. There are unlikely to be increased costs to land owners or communities from this insertion.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is potentially an increased environmental benefit by ensuring the discharge component of the rule is more effective and the amount of earthworks that can be undertaken is more certain and effective. There are increased environmental benefits from the insertion of set-back of 5m from surface water bodies.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a moderate risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this</p>

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			<p><a href="#">Rule R99 does not control any earthworks or soil disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</a></p>	<p>proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
A4 ( S311/024, S84/031)	5 Rules	Rule R100: Vegetation clearance on erosion prone land - permitted activity	<p>The use of land, and the <u>associated</u> discharge of <del>sediment-laden runoff</del> <b>stormwater</b> into water or onto or into land where it may enter water from <b>vegetation clearance</b> <del>of up to a total contiguous area up to of</del> 2ha per <b>property</b> per 12 month period on <b>erosion prone land</b> is a permitted activity, provided the following conditions are met:</p> <p>(a) any soil or debris from the <b>vegetation clearance</b> is not placed where it can enter a <b>surface water body</b> or the coastal marine area, and</p> <p>(b) any soil disturbances associated with the <b>vegetation clearance</b> shall not after the <b>zone of reasonable mixing</b>, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> <li>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in colour or visual clarity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the rendering of fresh water unsuitable</li> </ul>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>The discharge of sediment is more effective than the use of sediment laden run-off, as sediment laden run-off is a specific use of words, whereas discharge of sediment captures all discharges of sediment from the activity.</p> <p>The use of the word 'contiguous' has caused confusion and misunderstanding and has the potential to be abused within the context of the rule. The replacement words 'up to a total area of 2ha' are more certain about the areas of vegetation clearance able to be cleared per year per property on erosion prone land.</p> <p>New clause (c) provides for the protection of riparian vegetation. The riparian strip is an important mitigation measure for the prevention of sediment to water bodies, as required by Objective O27 of the proposed Plan. A distance of 5m from the bank of a surface water body is a minimum.</p> <p>An exemption has been added to new clause (c) to remove the consequential error with Rule R114 and R115.</p> <p>The note added about vegetation clearance controlled in district plans and from regulation will provide for increased effectiveness of this rule, and prevent further conflicts.</p> <p>Additional note has been included to exclude any vegetation clearance or disturbances associated with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p>

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			<p>for consumption by animals, or</p> <p>(v) any significant adverse effect on aquatic life.</p> <p><a href="#">(c) vegetation clearance shall not occur within 5m of a surface water body except for activities permitted by Rule R114 or Rule R115.</a></p> <p><i>Notes:</i></p> <p><a href="#">(a) Vegetation clearance is also controlled by provisions in district plans and bylaws, and the Electricity (Hazards from Trees) Regulations 2003.</a></p> <p><a href="#">(b) Rule R100 does not control any vegetation clearance or vegetation disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</a></p>	<p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for the insertion of these new words for discharge of sediment. There are unlikely to be increased costs to industry or the community from this insertion.</p> <p>There are unlikely to be increased costs to people and the community from the protection of the riparian strips where they exist. The strip provides protection for instream habitat and mitigates sediment.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>There is potentially an increased environmental benefit by ensuring the discharge component of the rule is more effective and rivers and streams are better protected from a set-back of 5m width.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a moderate risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
A5 (consequential change)	5 Rules	Rule R101: Earthworks and vegetation clearance - discretionary activity	<p>The use of land, and the <a href="#">associated</a> discharge of <del>sediment-laden runoff</del> <b>stormwater</b> into water or onto or into land where it may enter water from <b>earthworks</b> <a href="#">not permitted by Rule R99</a> or <b>vegetation clearance</b> on <a href="#">erosion prone land</a> that is not permitted by <del>Rule R99 or</del> Rule R100</p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>This amendment includes the consequential changes for the discharge of sediment amendment in Rule R99 and R100. This is explained above in the respective rules.</p> <p>The additional re-drafting closes-off the error that occurred for vegetation</p>

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			<p>is a discretionary activity.</p> <p><i>Note:</i></p> <p><a href="#">Rule R101 does not control any earthworks or vegetation clearance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</a></p>	<p>clearance on non-erosion prone land, by adding the wording erosion prone land for Rule R100.</p> <p>Additional note has been included to exclude any earthworks or vegetation clearance associated with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><b>Costs: (numerical and potential costs)</b></p> <p>No specific costs have been assessed for the insertion of this definition. There are unlikely to be increased costs to the industry or the community from the insertion of these words into Rule R101 of the proposed Plan.</p> <p><b>Benefits: (environmental, cultural, economic and social)</b></p> <p>There is potentially an increased environmental benefit by improving the effectiveness of the provisions for earthworks and vegetation clearance.</p> <p><b>Risk of acting or not acting</b></p> <p>There is a moderate risk of not acting.</p> <p><b>Decision about most appropriate option</b></p> <p>This is an important matter that requires recognition by the proposed Plan and provides useful clarification for plan users. There was potential confusion about how the provisions were intended to operate and this proposed change will ensure greater effectiveness of the provisions.</p> <p>In my opinion the proposed amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
A7 (S435/008, S163/112, S77/002, S100/004, S131/007, S275/007, S14/032)	5 Rules	<del>Rule R102: Plantation forestry harvesting on erosion prone land—permitted activity</del>	<del>Rule R102: Plantation forestry harvesting on erosion prone land—permitted activity— The use of land, and the discharge of sediment.</del>	<p><b>Effectiveness and efficiency</b></p> <p>Rule R102 duplicates regulations in the National Environmental Standard for Plantation Forestry Regulations 2017. This rule must be deleted from</p>

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			<p><del>laden runoff stormwater into water or onto or into land where it may enter water from</del>  <b>plantation forestry harvesting on erosion-prone land</b> is a permitted activity, provided the following conditions are met:</p> <p>(a) a harvest plan shall be prepared in accordance with Schedule O (forestry plan) and submitted to the Wellington Regional Council 20 working days prior to the <b>plantation forestry harvesting</b>, and</p> <p>(b) disturbed vegetation or soil is not placed where it can dam or divert a <b>surface water body</b>, and</p> <p><del>(b) when harvesting occurs across a surface water body, all disturbed vegetation, soil or debris must be deposited or placed in a position where it cannot enter a surface water body, or the coastal marine area, to avoid –</del></p> <p><del>(i) diversion, damming, or erosion of any surface water body or coastal water, and</del></p> <p><del>(ii) degradation of any aquatic habitat or riparian zone, and</del></p> <p><del>(iii) damage to downstream infrastructure or property, and</del></p> <p>(c) slash is removed from a <b>surface water body</b> where it is blocking river flow or is diverting river flow and causing bank erosion, and</p> <p><del>(c) slash must be placed onto stable ground, and slash levels managed so slash does not</del></p>	<p>the proposed Plan to give effect to RMA s44A.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for this deletion as the rule is replaced by the National Environmental Standard for Plantation Forestry Regulations 2017.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>No specific benefits have been assessed for this deletion as the rule is replaced by the National Environmental Standard for Plantation Forestry Regulations 2017.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a high risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>The amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>

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			<p><del>accumulate to quantities that could cause collapse of slash piles on the edge of landing sites, and</del></p> <p><del>(d) work areas are effectively revegetated within 18 months after the final completion of the <b>plantation forestry harvesting.</b></del></p> <p><del>(d) all disturbed soil must be <b>stabilised</b> or contained where it cannot allow the movement of sediment-laden runoff into any <b>surface water body</b> or the coastal marine area resulting in—</del></p> <p><del>(i) the diversion or damming of any <b>surface water body</b>; or</del></p> <p><del>(ii) degradation of the aquatic habitat, riparian zone, <b>surface water body</b>, or coastal water; or</del></p> <p><del>(iii) damage to downstream infrastructure or properties, and</del></p> <p><del>(e) any sediment laden runoff <b>earthworks</b> associated with <b>plantation forestry harvesting</b> shall not, after the <b>zone of reasonable mixing</b>, result in any of the following effects in receiving waters:</del></p> <p><del>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, and</del></p> <p><del>(ii) any conspicuous change in colour or visual clarity, and</del></p> <p><del>(iii) any emission of objectionable odour, and</del></p>	



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			<p><del>(iv) the rendering of fresh water unsuitable for consumption by animals, and</del></p> <p><del>(v) any significant adverse effect on aquatic life.</del></p>	
A8 (S163/113, S152/078)	5 Rules	<del>Rule R103: Plantation forestry harvesting—controlled activity</del>	<p><del>The use of land, and the discharge of sediment-laden runoff <b>stormwater</b> into water or onto or into land that may enter water from plantation forestry harvesting on <b>erosion-prone land</b> that is not permitted by Rule R102 is a controlled activity.</del></p> <p><del>Matters of control</del></p> <p><del>1. A harvest plan in accordance with Schedule O (forestry plan)</del></p> <p><del>2. Methods for erosion and sediment control</del></p> <p><del>3. Methods to manage and contain slash</del></p> <p><del>4. Methods for stabilisation after harvesting</del></p> <p><del>5. Design and location of river crossings and culverts</del></p> <p><del>6. Methods for minimising bed disturbance</del></p> <p><del>7. Impacts of sediment on receiving surface water bodies and any downstream receiving environment</del></p> <p><del><u>Note</u></del></p> <p><del><u>Plantation forestry is also controlled by provisions in district plans.</u></del></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>Rule R103 duplicates similar regulations in the National Environmental Standard for Plantation Forestry Regulations 2017. This rule must be deleted from the proposed Plan to give effect to RMA s44A.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for this deletion as the rule is replaced by the National Environmental Standard for Plantation Forestry Regulations 2017.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>No specific benefits have been assessed for this deletion as the rule is replaced by the National Environmental Standard for Plantation Forestry Regulations 2017.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a high risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>The amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>
	12 Schedules	<del>Schedule O: Plantation forestry harvest plan</del>	<p><del>Schedule O: Plantation forestry harvest plan</del></p> <p><del>The following are the requirements for a</del></p>	<p><b><u>Effectiveness and efficiency</u></b></p> <p>Schedule O duplicates Schedule 3 in the National Environmental</p>

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			<p><del>plantation forestry harvest plan:</del></p> <p><del>(a) The Wellington Regional Council is notified at least 20 working days prior to the commencement of harvest operations.</del></p> <p><del>(b) The scope of the harvest plan shall be matched to the scale and complexity of the harvest operation.</del></p> <p><del>(c) All harvesting shall be carried out, in accordance with the harvest plan and any changes to the harvest plan.</del></p> <p><del>(d) Any amendments to the harvest plan are documented and made available to the Wellington Regional Council upon request.</del></p> <p><del>(e) The harvest plan shall include maps or drawings produced at 1:5,000 up to 1:10,000 scale and include, but not limited to:</del></p> <p><del>(i) title, date and north arrow,</del></p> <p><del>(ii) harvest boundary area,</del></p> <p><del>(iii) property boundaries in the vicinity of the harvest area,</del></p> <p><del>(iv) contours,</del></p> <p><del>(v) location of existing roads, tracks, landings, firebreaks, stream crossings, and culverts,</del></p> <p><del>(vi) description of the harvest method (e.g. ground based or hauler) and extraction directions,</del></p> <p><del>(vii) location of any surface water bodies, streams and bed of any lake,</del></p>	<p>Standard for Plantation Forestry Regulations 2017. This schedule must be deleted from the proposed Plan to give effect to RMA s44A.</p> <p><b><u>Costs: (numerical and potential costs)</u></b></p> <p>No specific costs have been assessed for this deletion as this schedule is replaced by the National Environmental Standard for Plantation Forestry Regulations 2017.</p> <p><b><u>Benefits: (environmental, cultural, economic and social)</u></b></p> <p>No specific benefits have been assessed for this deletion as this schedule is replaced by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><b><u>Risk of acting or not acting</u></b></p> <p>There is a high risk of not acting.</p> <p><b><u>Decision about most appropriate option</u></b></p> <p>The amendment is the most appropriate way to achieve the purpose of the RMA and the objectives of the proposed Plan, will have cultural, social, environmental and economic benefits, and will not reduce opportunities for economic growth or have a negative effect on employment.</p>

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			<p><del>(viii) location of any scheduled area including Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers and lakes), Schedule F3 (significant natural wetlands);</del></p> <p><del>(ix) location of any slash management areas, and</del></p> <p><del>(x) location of end haul disposal areas.</del></p> <p><del>(f) A harvest plan shall document the management of slash, slash storage sites, and slash management for avoidance from surface water bodies.</del></p> <p><del>(g) The harvest plan shall document best practice methods for erosion and sediment control.</del></p>	