

## Appendix A: Recommended amendments and section 32AA assessment – Wetlands and biodiversity

This table sets out recommended amendments to the Wetlands and biodiversity provisions. Recommended additions to the notified text are in underline and recommended deletions are strike through text. The section 32AA assessment follows alongside for each of the provisions. Provisions shown in grey are those that I have not recommended any amendments to.

Red text = recommended amendments in this s42A Officer's Report in response to submissions

Amendment no./ Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	2 - Interpretation	Biodiversity Offset	<p>A measurable positive <u>environmental</u> outcome resulting from <del>an</del> actions designed to <del>compensate redress for</del> the <b>residual adverse effects</b> on biodiversity arising from <del>an</del> activities after <u>appropriate</u> avoidance, <u>minimisation, and</u> remediation <del>and mitigation</del> measures have been <del>taken applied</del>. <u>The goal of a Biodiversity offsets differ from mitigation in so far as offsets require the demonstration of is to achieve</u> no net loss, <u>and preferably a net gain</u>, of <u>indigenous</u> biodiversity <u>values and preferably a net gain</u>. The principles to be applied when proposing and considering <b>biodiversity offsets</b> are provided in Schedule <del>G</del>X (biodiversity offsetting).</p>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan's efficiency and effectiveness by providing greater clarity for plan users.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendment more clearly articulates what a biodiversity offset is for plan users, particularly in contrast to mitigation.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves the provision ambiguous and unclear for Plan users.</p>

				<p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised by submitters while emphasising efficiency and effectiveness.</p>
	2 - Interpretation	Low energy receiving environment	Aquatic environments with little flushing action from tides, river flows, or wave action. For example, protected harbours and bays.	N/A
	2 - Interpretation	<b>Mitigation</b>	<p><u>The avoidance, lessening or repair of the adverse effects of an activity, undertaken in direct response to, and at the same location as, that activity. The mitigation of adverse effects on biodiversity involves three distinct steps, the order of which is specific and critical:</u></p> <ol style="list-style-type: none"> <li>1. <u>avoid adverse effects on biodiversity</u></li> <li>2. <u>minimise unavoidable adverse effects</u></li> <li>3. <u>remedy those adverse effects that cannot be minimised.</u></li> </ol> <p><u>The principles to be applied when proposing and considering mitigation are set out in Schedule G (mitigation).</u></p>	<p><b>Effectiveness and efficiency:</b> This amendment would enhance the efficiency and effectiveness of the Plan by making it clearer to plan users what mitigation involves and how it ought to be carried out.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment not only provides greater clarity to plan users, but also could result in better environmental outcomes from mitigation activities as a result of the clearer process being articulated in this new definition.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves the possibility that mitigation activities of poor quality will be carried out that will not</p>

				adequately address the adverse effects of an activity.  <b>Decision about most appropriate option:</b> I consider this amendment to be the most efficient and effective means of addressing the concerns raised by submitters while emphasising efficiency and effectiveness.
	2 - Interpretation	Natural Lake	A lake which is formed by natural geomorphic processes, whether modified by human activity or not.	<b>N/A</b>
	2 - Interpretation	Natural wetland	<p>Is a permanently or intermittently wet area, shallow water and land water margin that supports a natural ecosystem of plants and animals that are adapted to wet conditions, including in the beds of lakes and rivers, the coastal marine area (e.g. saltmarsh), and groundwater-fed wetlands (e.g. springs). <b>Natural wetlands</b> do not include:</p> <p>a. <del>damp gully heads, or</del> wetted pasture, or pasture with patches of rushes, or</p> <p>(b) areas of wetland habitat <u>that have established</u> in or around bodies of water specifically designed, installed and maintained for any of the following purposes:</p> <p>(i) water storage ponds for</p> <p>a) public water supply, or</p> <p>b) hydroelectric power generation, or</p> <p>c) firefighting or</p> <p>d) irrigation, or</p> <p>e) stock watering or</p> <p>(ii) water treatment ponds for</p> <p>a) <b>wastewater</b>, or</p>	<p><b>Effectiveness and efficiency:</b> This amendment would help to make the Plan's wetlands provisions more efficient and effective by enhancing the clarity of the definition.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This proposed amendment would make the Plan clearer for plan users.</p> <p><b>Risk of acting or not acting:</b> Not acting would leave the definition less clear than it could be for users. I consider this risk to be low.</p>

			<ul style="list-style-type: none"> <li>b) <b>stormwater</b>, or</li> <li>c) nutrient attenuation, or</li> <li>d) sediment control, or</li> <li>e) <b>animal effluent</b>, or</li> </ul> <ul style="list-style-type: none"> <li>(iii) beautification, landscaping, amenity, or</li> <li>(iv) drainage.</li> </ul> <p>See also <b>significant natural wetland</b> and <b>outstanding natural wetland</b></p> <p>'Wetland' has the same meaning as in the RMA.</p>	<p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the issues raised by submitters.</p>
	2 - Interpretation	Residual adverse effects	The negative effects on the environment remaining from an activity after avoidance, remediation, and mitigation measures have been taken.	N/A
	2 - Interpretation	Restoration	The rehabilitation of sites, habitats or ecosystems to support indigenous flora and fauna, ecosystem functions and natural processes that would naturally occur in the ecosystem and locality.	N/A
	2 - Interpretation	Outstanding natural wetland	<p><b>Outstanding natural wetlands</b> <u>are natural wetlands that are highly representative and either have high rarity values or are highly diverse.</u></p> <p><u>(Note – Schedule A3 lists natural wetlands that have been identified as having outstanding indigenous biodiversity values.) are identified in Schedule A3.(outstanding wetlands).</u></p>	<p><b>Effectiveness and efficiency:</b> This proposed amendment is more efficient and effective than just referring to a schedule in that it more clearly articulates what constitutes “outstanding”. It also provides clearer effect to the regional policy statement</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The benefit lies in the greater clarity to Plan users.</p>

				<p><b>Risk of acting or not acting:</b> Not acting leaves the definition less clear than it could be and also not fully aligned with the regional policy statement.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the issues raised by submitters while emphasising efficiency and effectiveness.</p>
	2 - Interpretation	Significant natural wetland	<p>A <b>natural wetland</b> that meets one or more of criteria (a) to (d) listed in Policy 23 of the Regional Policy Statement 2013 being: representativeness; rarity; diversity; ecological context. <del>Identified significant natural wetlands greater than 0.1ha from which livestock should be excluded under Rule R98 are listed in Schedule F3 (significant wetlands).</del></p> <p><u>(Note - Schedule F3 lists identified significant natural wetlands that are greater than 0.1 ha<sup>1</sup> for the purpose of managing livestock exclusion under Rule R97).</u></p>	<p><b>Effectiveness and efficiency:</b> This amendment should enhance the efficiency and effectiveness of the Plan by making it clearer to users.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendment provides greater clarity to plan users and helps to articulate that wetlands less than 0.1 ha can also be considered significant.</p>

<sup>1</sup> Consequential change based on the Recommendations made in paragraph 147 in the “Section 42A Report: Land use in riparian margins and stock access to surface water bodies”

				<p><b>Risk of acting or not acting:</b> Not acting could leave this provision ambiguous for Plan users and potentially result in significant wetlands less than 0.1 ha being overlooked.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by submitters while emphasising efficiency and effectiveness.</p>
	2 - Interpretation	<b>Wetland Restoration management plan</b>	A plan required for managing the <b>restoration</b> of a wetland under Rule R106, where the restoration involves activities otherwise managed by Rules <del>R98</del> , R107, R108, R109, <del>and</del> R110 <u>and R111</u> . <b>Wetland Restoration</b> management plans must be prepared in accordance with Schedule F3a ( <u>Wetland restoration management</u> plans).	<p><b>Effectiveness and efficiency:</b> This amendment makes the Plan more efficient and effective in that it provides greater clarity for plan users.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The benefit this amendment provides is in the greater clarity for plan users.</p> <p><b>Risk of acting or not acting:</b> Not acting could leave the provision unclear and ambiguous for plan users.</p>

				<p><b>Decision about most appropriate option:</b> I consider this amendment to be the most efficient and effective means of addressing the issues raised by the submitters.</p>
Issue 1	2 - Interpretation	Wairarapa Moana	Includes the beds of Lake Wairarapa and Lake Onoke and the publicly owned reserves adjacent to the lakes.	N/A
	3 - Objectives	Objective O18 <sup>2</sup>	The ecological, recreational, <b>mana whenua</b> , and amenity values of estuaries, and <b>harbours are protected, including</b> their sensitivity as low energy receiving environments <b>are is</b> recognised, and their health and function is restored <b>over time</b> .	<p><b>Effectiveness and efficiency:</b> This amendment would improve the Plan's efficiency and effectiveness by aligning it more closely with the regional policy statement.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment aligns the objective more closely with the regional policy statement.</p> <p><b>Risk of acting or not acting:</b> Not acting poses no risks.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised by</p>

<sup>2</sup> This objective has been recommended for amalgamation into O25 in the S42 Report: Water Quality

				submitters while focusing on efficiency and effectiveness.
	3 - Objectives	Objective O28 <sup>3</sup>	The extent of natural wetlands is maintained or increased and their condition is restored <u>to a healthy functioning state as defined by Tables 3.7 and 3.8.</u>	<p><b>Effectiveness and efficiency:</b> This amendment would enhance the Plan's efficiency and effectiveness in that it makes requirements for restored condition clearer.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment provides greater clarity to plan users in that it helps articulate what a restored state is.</p> <p><b>Risk of acting or not acting:</b> Not acting risks leaving the provision less clear for Plan users than it could be.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing concerns raised by submitters while emphasising efficiency and effectiveness.</p>
Issue 2	3 - Objectives	Objective O29	Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.	<b>N/A</b>

<sup>3</sup> This objective has been recommended for amalgamation into O25 in the S42 Report: Water Quality

	3 - Objectives	Objective O30 <sup>4</sup>	The habitat of <del>trout identified in Schedule 1 (trout habitat)</del> <u>important trout fishery rivers and spawning waters</u> is maintained <del>and or</del> improved.	<p><b>Effectiveness and efficiency:</b> This amendment would make the Plan more efficient and effective in that it more clearly articulates the intention of the objective.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment would make the objective clearer in that the information in the schedules is more a means to an end than the end.</p> <p><b>Risk of acting or not acting:</b> Not acting poses only the low risk of lower clarity than could be possible.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing concerns raised by submitters while emphasising efficiency and effectiveness.</p>
	3 – Objectives	Objective O31 <sup>5</sup>	Outstanding water bodies and their significant values are protected <u>and restored.</u>	<p><b>Effectiveness and efficiency:</b> This amendment would help to make the Plan more efficient and</p>

<sup>4</sup> This objective has been recommended for amalgamation into O25 in the S42 Report: Water Quality

<sup>5</sup> This objective has been recommended for amalgamation into O25 in the S42 Report: Water Quality

			<p>OR</p> <p>Outstanding water bodies and their significant values are protected <u>and restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</u></p>	<p>effective by aligning this objective with other related provisions, creating a more uniform approach.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> Potential new costs involved in restoration of outstanding water bodies and their significant values.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment not only aligns with the Plan's objectives more closely, it also provides potential benefits (if given effect) in the form of restored wetlands.</p> <p><b>Risk of acting or not acting:</b> Not acting would leave the Plan with no requirement to restore outstanding water bodies, which would be in contrast to the Plan's intent and approach to other water bodies.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
Issue 2	3 - Objectives	Objective 35	Ecosystems and habitats with significant indigenous biodiversity values are protected and restored.	N/A

Issue 3	4 - Policies	Policy P22	<p>Policy <del>P22-39A: Ecosystem values of estuaries</del> <u>Managing adverse effects on aquatic ecosystems, habitats and species within the coastal marine area</u></p> <p><u>To manage indigenous biodiversity values of aquatic ecosystems use and development within the coastal marine area shall:</u></p> <ul style="list-style-type: none"> <li>a) <u>Avoid adverse effects on:</u> <ul style="list-style-type: none"> <li>i. <u>indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as threatened by the IUCN;</u></li> <li>ii. <u>indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare;</u></li> <li>iii. <u>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</u></li> <li>iv. <u>areas in the coastal environment containing nationally significant examples of indigenous community types;</u></li> <li>v. <u>areas set aside for full or partial protection of indigenous biological diversity under other</u></li> </ul> </li> </ul>	<p><b>Effectiveness and efficiency:</b> The recommended amendment to former Policy P22 will provide further clarity to plan users as to how indigenous biodiversity will be managed. In my view, these recommended amendments will provide a more effective and efficient approach than was set out in the notified version.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> These recommended amendments will provide environmental benefits to the way indigenous biodiversity values are managed across the region.</p> <p><b>Risk of acting or not acting:</b> If the appropriate level of clarity is not set out in the policy approach, there is a risk that the values of indigenous biodiversity could be adversely impacted.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in</p>
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			<p><u>legislation.</u></p> <p>b) <u>Avoid Ssignificant adverse effects, and avoid, minimise, and remedy other adverse effects of activities</u> on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as nursery for important fish stocks, <del>shall be avoided.</del></p>	<p>submissions while retaining a focus on efficiency and effectiveness.</p>
Issue 3	4 – Policies	Policy P23	<p>Policy <del>P23-P38A</del>: Restoring <u>estuaries, harbours and other low energy environments, in particular</u> Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and <del>Lake</del> Wairarapa <u>Moana</u></p> <p><u>Activities that restore the health and function of estuaries and harbours to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.3 and 3.8 shall be encouraged and supported. In particular, <del>the</del> ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and <del>Lake</del> Wairarapa <u>Moana</u> will be restored <del>overtime</del> by:</u></p> <p>(a) managing activities, <u>erosion-prone land, and riparian margins</u> to reduce sedimentation rates and pollutant inputs, and</p> <p><del>(b) managing erosion-prone land and riparian margins in their catchments, and</del></p>	<p><b>Effectiveness and efficiency:</b> The recommended amendment to proposed Policy P23 will provide further clarity to plan users as to how significant values of each of the waterbodies will be restored. In my view, these recommended amendments will provide a more efficient and effective approach than was set out in the proposed Plan as notified.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs identified.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendments now provide a clearer link back to the objectives. In my view this will ensure there are</p>

			<p>(eb) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.</p>	<p>environmental benefits.</p> <p><b>Risk of acting or not acting:</b> If the appropriate level of clarity is not set out in the policy approach, there is a risk that the values of these waterbodies are not restored.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
Issue 4	4 – Policies	Policy P31	<p><b>Policy P31: <u>Biodiversity</u>, <u>Aquatic ecosystem health and mahinga kai</u></b></p> <p><u>Biodiversity</u>, <u>Aquatic ecosystem health</u> and <u>mahinga kai</u> shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:</p> <p><u>Hydrology</u></p> <p>(a) <del>minimise adverse effects on</del> <u>maintain or restore</u> natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and</p> <p><u>Water quality</u></p> <p>(b) <u>maintain or improve water quality to meet the objectives in</u></p>	<p><b>Effectiveness and efficiency:</b> The recommended amendment to Policy P31 will provide clarity as to how biodiversity, aquatic ecosystem health and mahinga kai values will be maintained or improved. In my view, these recommended amendments will provide a more effective and efficient approach than was set out in the notified version.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendments now provide a clearer link back to the objectives.</p>

			<p><u>Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O25, and</u></p> <p><u>Aquatic habitat diversity and quality</u></p> <p><del>(bc)</del> <del>minimise adverse effects on</del> <del>maintain or restore</del> aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and <u>the coastal habitats marine area</u>, and</p> <p><u>Critical habitat for indigenous aquatic species and indigenous birds</u></p> <p><del>(ed)</del> <del>minimise adverse effects on</del> <del>maintain or restore</del> habitats that are important to the life cycle and survival of indigenous aquatic species <u>and the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins used for breeding, roosting, feeding, and migration</u>, and</p> <p><u>Critical life cycle periods</u></p> <p><del>(de)</del> minimise adverse effects, <u>including the disturbance of the bed or banks of a river or lake</u>, at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, <u>including fish and koura, and indigenous</u></p>	<p>In my view this will ensure there are environmental benefits.</p> <p><b>Risk of acting or not acting:</b> If the appropriate level of clarity is not set out in the policy approach of the decisions version of the plan, there is a risk that values for biodiversity, aquatic ecosystem health and mahinga kai could be adversely impacted.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
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			<p><u>birds that are dependent on aquatic habitat</u>, and</p> <p><u>Fish passage</u></p> <p>(ef) avoid creating barriers to the migration or movement of indigenous aquatic species <u>and trout, except where this is required for the protection of indigenous fish and koura populations</u>,</p> <p>(g) restore the connections between fragmented aquatic habitats, <u>including the passage of indigenous fish and koura, where this is appropriate for the management and protection of indigenous aquatic species</u>.</p> <p><u>Riparian habitats</u></p> <p>(fh) <del>minimise adverse effects on</del> maintain or restore riparian habitats <del>and restore them where practicable</del>, and</p> <p><u>Pests</u></p> <p>(gi) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.</p>	
Issue 5	4 – Policies	Policy P32	Policy P32: Adverse effects on <u>biodiversity</u> , aquatic ecosystem health and mahinga kai	<b>Effectiveness and efficiency:</b> The proposed amendments clarify that Policy P32 seeks to manage any effects on biodiversity

			<p><del>Significant</del> adverse effects on <u>biodiversity</u>, aquatic ecosystem health and mahinga kai shall be managed by:</p> <p>(a) avoiding significant adverse effects, and</p> <p>(b) where <del>significant</del> adverse effects cannot be avoided, <u>remedying</u> <u>minimising</u> them, and</p> <p>(c) where <del>significant</del> adverse effects cannot be <u>remedied, mitigating them completely avoided and/or minimised they are remedied on-site, and</u></p> <p>(d) where <u>significant</u> <b>residual adverse effects</b> remain, it is appropriate to consider the use of <b>biodiversity offsets</b>.</p> <p>Proposals for <b>mitigation</b> and <b>biodiversity offsetting</b> will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p>	<p>management.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> There are no associated costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> Amending Policy P32 will provide clarity for plan users and therefore deliver associated environmental benefits.</p> <p><b>Risk of acting or not acting:</b> If clarity is not provided in the decisions version of the plan, that Policy P32 provides for biodiversity, there is a risk that plan users may not:</p> <ul style="list-style-type: none"> <li>- assess the effects on biodiversity; and</li> <li>- provide options to mitigate any potential effects in their assessment of environmental effects.</li> </ul> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 - Policies	Policy P33	Policy <del>P33</del> <u>P41A: Protecting Effects on the spawning and migration</u>	<p><b>Effectiveness/efficiency</b> The proposed amendments provide</p>

			<p><u>of indigenous fish species habitat</u></p> <p><u>Avoid</u> <del>The</del> more than minor adverse effects of activities on <del>the</del> <u>indigenous fish</u> species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, <del>and or</del> Schedule F1b (inanga spawning habitats), <del>particularly at the relevant during known</del> spawning and migration times identified in Schedule F1a (fish spawning/migration) <del>for these species, shall be avoided</del>. These activities <u>may</u> include the following:</p> <ul style="list-style-type: none"> <li>a) discharges of contaminants, including sediment, and</li> <li>b) disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and</li> <li>c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.</li> </ul>	<p>a more effective and efficient approach, as they ensure matters managed within Policy P31 are not repeated in Policy P33.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> There are no associated costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendments provide for environmental benefits.</p> <p><b>Risk of acting or not acting:</b> If the recommended amendments are not made to the proposed approach, then the decisions version of the plan will contain multiple policies which seek to manage the same matters.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 – Policies	Policy P34	<p><b>Policy P34: Fish passage</b></p> <p><del>The construction or creation of new barriers to the passage</del></p>	<p><b>Effectiveness and efficiency:</b> Each of the policies for fish passage are now managed within Policy P31. In my view it is a more efficient and effective approach to</p>

			<p><del>of fish and koura species shall be avoided</del></p>	<p>manage fish passage within one policy rather than spreading it across multiple.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No additional costs associated with these amendments.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> Providing for fish passage within Policy P31 will now ensure that biodiversity, aquatic ecosystem health and mahinga kai values can be considered alongside fish passage. In my view, this integrated approach will provide additional environmental and cultural benefits than was set out in the proposed Plan.</p> <p><b>Risk of acting or not acting:</b> The risk of not providing an integrated approach is that plan users may overlook one of the policies for fish passage in their assessment. Providing the policy direction within one provision will reduce the risk of this occurring.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of</p>
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				addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.
	4 – Policies	Policy P35	<p>Policy P35: Restoring fish passage</p> <p><del>The passage of indigenous fish and koura shall be restored where this is appropriate for the management and protection of indigenous fish and koura populations.</del></p>	<p><b>Effectiveness and efficiency:</b> Each of the Policies for fish passage are now managed within Policy P31. In my view it is a more efficient and effective approach to manage fish passage within one policy rather than spreading it across multiple.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No additional costs associated with these amendments.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> Providing for fish passage within Policy P31 will now ensure that biodiversity, aquatic ecosystem health and mahinga kai values can be considered alongside fish passage. In my view, this integrated approach will provide additional environmental and cultural benefits than was initially set out in the proposed plan.</p> <p><b>Risk of acting or not acting:</b> The risk of not providing an integrated approach is that plan users may overlook one of the policies for fish passage in their</p>

				<p>assessment. Providing the policy direction within one provision will reduce the risk of this happening.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 – Policies	Policy P36	<p><del>Policy P36: Effects on indigenous bird habitat</del></p> <p><del>The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be minimised.</del></p>	<p><b>Effectiveness and efficiency:</b> Proposed Policy P36 is now managed within Policy P31. In my view it is a more efficient and effective approach to manage the effects of indigenous bird habitat within one general policy for biodiversity rather than separating it out.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No additional costs associated with these amendments.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> Providing for indigenous bird habitat within Policy P31 will now ensure that all of the impacts for biodiversity are considered under the same policy direction. In my view, this integrated approach will provide additional environmental</p>

				<p>and cultural benefits than was initially set out in the proposed plan.</p> <p><b>Risk of acting or not acting:</b> The risk of not providing an integrated approach is that plan users may overlook the policy for indigenous bird habitat in their assessment. Providing the policy direction within one provision will reduce the risk of this happening.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 – Policies	Policy P37	<p>Policy P37: Values of wetlands</p> <p>Activities in and adjacent to <b>natural wetlands</b> shall be managed to maintain <u>and, where appropriate, restore</u> their values including:</p> <ul style="list-style-type: none"> <li>(a) as habitat for indigenous flora and fauna, and</li> <li>(b) for their significance to mana whenua, and</li> <li>(c) for their role in the hydrological cycle including flood protection, and</li> </ul>	<p><b>Effectiveness and efficiency:</b> Providing for the restoration of the values of natural wetlands within the decisions version of Policy P37 will ensure the values are improved where they are degraded. This also provides a better link to the requirements of the NPS-FM, which requires landowners to “maintain and improve” water quality of wetlands. For these reasons, in my view, the proposed amendments to Policy P37 provide a more efficient and effective approach than is set out in the proposed plan.</p>

			<p>(d) for nutrient attenuation and <u>sediment trapping</u>, and</p> <p>(e) as a fisheries resource, and</p> <p>(f) for recreation.</p>	<p><b>Costs (environmental, economic, social, and cultural):</b> No additional costs associated with these amendments.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> Providing for the restoration of the values of natural wetlands will provide for improved environmental benefits than was initially provided for.</p> <p><b>Risk of acting or not acting:</b> The risk of acting is that the policy approach for wetlands will not be consistent with the requirements to “maintain and improve” as set out within the NPS-FM.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 – Policies	Policy P38	<p><b>Policy P38: Restoration of wetlands</b></p> <p>The <b>restoration of natural wetlands</b> and the construction of artificial wetlands <u>to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.7 and 3.8,</u> to provide habitat for indigenous flora and fauna, and to carry out</p>	<p><b>Effectiveness and efficiency:</b> The recommended amendments set out within Policy P38 will ensure there is clarity as to which objectives the policy approach seeks to implement. These amendments will provide a clearer line of logic between the policy</p>

			<p>the physical and ecological functions of <b>natural wetlands</b>, shall be encouraged <u>and supported</u>.</p>	<p>approach and the objectives. In my view this will deliver a more efficient and effective approach than was set out in the proposed plan.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> The additional costs identified.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The additional clarity provided in Policy P38 will provide environmental and cultural benefits.</p> <p><b>Risk of acting or not acting:</b> If the recommended amendments are not made to Policy P38, there will be a lack of clarity as to the water quality, aquatic ecosystem health and mahinga kai objectives in which Policy P38 seeks to implement.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
Issue 6	4 – Policies	Policy P39:	<p><b>Policy P39: Adverse effects on outstanding water bodies</b> The adverse effects of use and development on outstanding water</p>	N/A

			bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided.	
Issue 6	4 – Policies	Policy P40	<p><b>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values</b></p> <p>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</p> <ul style="list-style-type: none"> <li>(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</li> <li>(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</li> <li>(c) <b>significant natural wetlands</b>, including the <b>significant natural wetlands</b> identified in Schedule F3 (significant wetlands), and</li> <li>(d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</li> </ul>	N/A
Issue 6	4 – Policies	Policy P41	<p><b>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</b></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 <b>wetland restoration management plan</b>, shall avoid these ecosystems and habitats.</p> <p>If the ecosystem or habitat cannot be avoided, <u>(except for those</u></p>	N/A

			<p><u>ecosystems and habitats identified in Policy P40(d) which are managed by Policy P41(A)</u>, the adverse effects of activities shall be managed by:</p> <ul style="list-style-type: none"> <li>(a) avoiding more than minor adverse effects, and</li> <li>(b) where more than minor adverse effects cannot be avoided, <u>minimising remedying</u> them, and</li> <li>(c) where more than minor adverse effects cannot <u>be completely avoided and/or minimised, they are remedied on-site remedied, mitigating them</u>, and</li> <li>(d) where <b>residual adverse effects</b> remain it is appropriate to consider the use of <b>biodiversity offsets</b>.</li> </ul> <p>Proposals for <b>mitigation</b> and <b>biodiversity offsets</b> will be assessed against the principles listed in Schedule G (biodiversity offsetting). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the activity is inappropriate.</p>	
Issue 6	4 – Policies	Policy P42	<p><b>Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values</b></p> <p>In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:</p> <ul style="list-style-type: none"> <li>(a) maintain ecological connections within and between these habitats, or</li> <li>(b) provide for the enhancement of ecological connectivity between</li> </ul>	N/A

			<p>fragmented habitats through biodiversity offsets, and</p> <p>(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and</p> <p>(d) avoid cumulative adverse effects on, and the incremental loss of the values of these ecosystems and habitats.</p>	
Issues 6	4 - Policies	Policy P43	<p><b>Policy P43: <u>Wetland</u> restoration and management plans</b></p> <p>Restoration activities that have more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F (indigenous biodiversity) are appropriate if they are undertaken as part of a restoration management plan.</p>	<p><b>Effectiveness and efficiency:</b></p> <p>The recommended amendment will ensure there is clarity that the restoration management plans are for wetlands in isolation. This amendment to Policy P43 will provide clarity for plan users and is therefore more efficient and effective than is set out in the proposed plan.</p> <p><b>Costs (environmental, economic, social, and cultural):</b></p> <p>There are no costs associated with the recommended amendment.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b></p> <p>The recommended amendments to the policy approach will ensure there is the appropriate level of clarity that Policy P43 is to develop wetland restoration management plans. This clarity will ensure the environmental and cultural benefits</p>

				<p>can be achieved.</p> <p><b>Risk of acting or not acting:</b></p> <p>I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p> <p><b>Decision about most appropriate option:</b></p> <p>I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	4 – Policies	Policy P105	<p><del><b>Policy P105: Protecting trout habitat</b></del></p> <p><del>Particular regard shall be given to the protection of trout habitat in rivers with important trout habitat identified in Schedule I (trout habitat). The effects of use and development in and around these rivers shall be managed to:</del></p> <p><del>a) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O25, and</del></p> <p><del>b) minimise changes in flow regimes that</del></p>	<p><b>Effectiveness and efficiency:</b></p> <p>In addition to Policy P105, Policy P31 also provides for the habitat needs for trout. Therefore, the recommendation to delete proposed Policy P105 in the decisions version of the plan will reduce repetition and therefore improve the efficiency of the proposed approach.</p> <p><b>Costs (environmental, economic, social, and cultural):</b></p> <p>There are no costs associated with the proposed amendment.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b></p>

			<p><del>would otherwise prevent trout from completing their life cycle, and</del></p> <p>c) <del>maintain the amount of pool, run and riffle habitat, and</del></p> <p>d) <del>maintain fish passage for trout, and</del></p> <p>e) <del>minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).</del></p>	<p>As stated above, this amendment will improve the efficiency of the policy approach to manage wetlands. However there will be no substantive environmental, economic, social, and cultural benefits.</p> <p><b>Risk of acting or not acting:</b> The risk of not acting is that there will be multiple policies which seek to implement trout habitat.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised in submissions while retaining a focus on efficiency and effectiveness.</p>
	5 - Rules	Wetlands general conditions	<p>Wetland general conditions for activities in <b>natural wetlands, significant natural wetlands</b> and <b>outstanding natural wetlands</b> are that:</p> <p><del>(a)</del> the vegetation and the bed of the <b>natural wetland, significant natural wetland or outstanding natural wetland</b>, shall not be disturbed to a depth or an extent greater than that required to undertake the activity.</p> <p><del>(a)</del>(b) there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, <del>or</del> solvent, <b>heavy metals and other toxicants</b>) to water or the bed, <u>except where this is the result of the</u></p>	<p><b>Effectiveness and efficiency:</b> This amendment improves the clarity of the rule and addresses a gap in the rule, making the plan more efficient and effective.</p> <p>Regulation 6 of the NES-PF provides for stringency to be placed where plantation forestry activities may have adverse effects on significant natural areas (Schedule F3) as described in the proposed Plan.</p> <p>It is proposed to impose setback</p>

			<p><del>disturbance of other than</del> sediment and other materials <del>inherent to already existing in</del> the water or bed, <del>but excluding any discharge of heavy metals or other toxicants, and</del>”</p> <p><del>(b)(c)</del> no cleaning or refuelling of machinery or equipment, <del>or storage of fuel, oil or lubricants</del> shall take place <del>on any area in, or within 10m</del> of, a <b>natural wetland, a significant natural wetland, or an outstanding natural wetland</b>, and <del>fuel storage shall not occur or</del> at any location where fuel, <del>oil or lubricants</del> can enter a water body, and</p> <p><del>(e)(d)</del> all machinery, equipment and materials used for the activity shall be removed from the <b>natural wetland, significant natural wetland or outstanding natural wetland</b>, every night and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and</p> <p><del>(d)(e)</del> structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, and</p> <p><del>(e)(f)</del> in any part of the <b>natural wetland, significant natural wetland or outstanding natural wetland</b>, <del>with</del> inanga spawning habitat identified in Schedule <del>F1b F4 (coastal sites) and Schedule F5 (coastal</del></p>	<p>distances across earthwork, harvesting and mechanical land preparation activities where they affect Schedule F3 sites. The setback distances are identical to the distances in the NES-PF.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment provides several potential benefits.</p> <p>First, the more explicit language provides greater clarity for plan users.</p> <p>Second, this amendment addresses the spreading of pests and contaminants from wetland to wetland, thus addressing a gap in the existing conditions.</p> <p>Third, there is potentially an increased environmental benefit by giving effect to high order documents (NES-PF Section 6) and improving the effectiveness of this provision.</p> <p><b>Risk of acting or not acting:</b> There is a high risk of not acting,</p>
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			<p><u>habitats</u>), no bed disturbance, diversions of water or sediment discharge shall occur between 1 March and 31 May, and</p> <p><del>(f)</del>(g) the diversion of water shall not be for longer than the time required to undertake the activity, and any diversion of water required to undertake the activity must be for fewer than 14 consecutive days, and must occur prior to the disturbance of the bed of the <b>natural wetland</b>, <b>significant natural wetland or outstanding natural wetland</b>, and</p> <p><u>(h) all activities in any natural wetland, significant natural wetland or outstanding natural wetland are undertaken in a manner which prevents pests (both aquatic and terrestrial) being spread to or from that wetland, including the inspection of all machinery or equipment to be used before or after use to remove any pests, including pest plant fragments.</u></p> <p><u>(i) the following setback conditions apply to Plantation Forestry activities as covered by the Resource Management (National Environmental Standards for Plantation) Regulations 2017 :</u></p> <p><u>(i) earthworks must not occur within 10m of a Schedule F3 (Identified significant natural wetlands) site, and</u></p> <p><u>(ii) harvesting machinery must not be operated within 10m of Schedule F3 (Identified significant natural wetlands) site, and</u></p>	<p>that the decisions version will not provide clear outcomes nor will the significant biodiversity values of natural, significant and outstanding wetlands be afforded adequate protection.</p> <p><b>Decision about most appropriate option:</b> 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><u>(iii) mechanical land preparation must not occur within 10m of Schedule F3 (Identified significant natural wetlands) site.</u></p> <p><u>Note</u></p> <p><u>The meaning of earthworks, harvesting machinery and mechanical preparation are defined in the Resource Management (National Environmental Standards for Plantation) Regulations 2017.</u></p>	
		<p>Rule R104: Structures in natural wetlands and significant natural wetlands</p>	<p>The maintenance, repair, addition, alteration, or replacement (like for like) of an existing structure, and the placement of a new structure of an area less than 10m<sup>2</sup> for the purpose of hunting and recreation (including maimai and jetties), <u>wetland restoration, or the monitoring of wetland condition</u>, and the removal of an existing structure, in a <b>natural wetland</b> or <b>significant natural wetland</b>, including any associated:</p> <ul style="list-style-type: none"> <li>(a) disturbance of a river or lake bed, or foreshore or seabed that forms part of a <b>natural wetland</b> <u>or significant natural wetland</u>, and</li> <li>(b) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a <b>natural wetland</b> <u>or significant natural wetland</u>, and</li> <li>(c) damage to a part of the foreshore or seabed that forms part of a <b>natural wetland</b> <u>or significant natural wetland</u>, and</li> <li>(d) diversion of water, and</li> <li>(e) discharge of sediment to water</li> </ul> <p>is a permitted activity, provided the following conditions are</p>	<p><b>Effectiveness and efficiency:</b> This amendment makes the provision more efficient and effective by filling gaps and loopholes that reduce the rule's effectiveness in its current state.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The proposed amendment provides greater clarity for plan users. It also provides cultural benefit through recognition and protection of mana whenua values. There are also potential environmental benefits resulting from preventing structures being altered to be larger than 10m<sup>2</sup>.</p>

			<p>met:</p> <p>(f) only hand-held machinery is used in any area of the <b>natural wetland</b> <u>or <b>significant natural wetland</b></u>, and</p> <p><u>(g) any new structure is not located within a site identified in Schedule C (mana whenua), and</u></p> <p><u>(h) any alteration or addition to an existing structure does not increase the size of the structure so that it occupies an area greater than 10m<sup>2</sup>, and</u></p> <p><del>(g)(i)</del> the activity shall comply with the wetland general conditions for activities in <b>natural wetlands, significant natural wetlands</b> and <b>outstanding natural wetlands</b> specified above in Section 5.5.2.</p>	<p><b>Risk of acting or not acting:</b> Not acting leaves multiple potential gaps or loopholes in the rule. Unamended, it would not account for mana whenua values, significant natural wetlands, and potentially permits the expansion of existing structures to more than 10m<sup>2</sup>, with potentially adverse effects.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised by submitters.</p>
		<p>Rule R105: Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands</p>	<p>The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a <b>natural wetland, significant natural wetland</b> or <b>outstanding natural wetland</b> including any associated:</p> <p>(a) disturbance of a river or lake bed, or foreshore or seabed that forms part of a <b>natural wetland, significant natural wetland, or outstanding natural wetland</b> and</p> <p>(b) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a <b>natural wetland, significant natural wetland, or outstanding natural wetland</b> and</p> <p>(c) damage to a part of the foreshore or seabed that forms part of a <b>natural wetland, significant natural wetland, or outstanding natural wetland</b> and</p> <p>(d) diversion of water, and</p> <p>(e) discharge of sediment to water is a permitted activity, provided the following conditions are met:</p>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the efficiency and effectiveness of the Plan by providing more explicit guidance on what is and is not considered an appropriate plant species for a wetland.</p> <p>The amendment also closes a potential loophole in the rule by adding a reference to significant and outstanding natural wetlands.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental,</b></p>

			<p>(f) only <u>appropriate</u> indigenous wetland species <u>typical of the area and wetland type</u> are deliberately introduced or planted, and</p> <p>(g) only <u>appropriate pest</u> plant <u>species that are not typical of the area and wetland type</u> are deliberately removed or controlled, and</p> <p>(h) only agrichemicals approved by the Environmental Protection Authority <u>for use over surface water bodies</u> are used <u>and the conditions of Rule R37 (excluding clause (d)) are met</u>, and</p> <p>(i) agrichemicals are not applied by aerial spraying, and</p> <p>(j) only hand-held machinery is used in any area of the <u>natural wetland, significant natural wetland, or outstanding natural wetland</u> and</p> <p>(k) the activity shall comply with the wetland general conditions for activities in <b>natural wetlands, significant natural wetlands</b> and <b>outstanding natural wetlands</b> specified above in Section 5.5.2.</p> <p><i>Note</i></p> <p>The Wellington Regional Council provides advice on its website and upon request regarding the management of wetlands, including appropriate species to plant (<u>those that are typical of the area and wetland type</u>), and appropriate <u>pest</u> plants to remove (<u>those that are not typical of the area and wetland type</u>).</p>	<p><b>economic, social, and cultural):</b> This amendment mostly benefits the clarity of the rule for plan users, particularly in regard to what plant species are and are not considered appropriate for wetlands.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves the Plan less clear for users than it could be.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by submitters while retaining a focus on efficiency and effectiveness.</p>
Issue 7	5 – Rules	Rule R106	<p><b>Rule R106: Restoration of natural wetlands, significant natural wetlands</b> and outstanding natural wetlands – controlled activity 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</p>	N/A

			<p>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> <ol style="list-style-type: none"> <li>1. Removal, damage or modification of indigenous vegetation</li> <li>2. Changes to the hydrology of the natural wetland</li> <li>3. Species for planting</li> <li>4. Amount of disturbance and deposition that may occur</li> <li>5. Timing of the activities</li> <li>6. Management of sites with significant mana whenua values in any wetland identified in Schedule C (mana whenua)</li> <li>7. Type, frequency, density and timing of livestock access to the wetland</li> <li>8. Ongoing natural wetland management</li> </ol> <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>	
Issue 7	5 – Rules	Rule R107	<p><b>Rule R107: Activities in natural wetlands and significant natural wetlands – discretionary activity</b></p> <p>The following activities in a natural wetland or significant natural wetland except for those stipulated in and carried out in accordance with a restoration management plan under Rule R106:</p> <p>(a) the placement of new structures with a footprint of 10m<sup>2</sup> or greater for the purpose of hunting and recreation (including maimai and jetties), and all other structures,</p> <p>(b) the discharge of water or contaminants not permitted by Rule R42,</p>	N/A

			<p>(c) the clearance of indigenous wetland vegetation, (excluding the removal of pest plants under Rule R105),</p> <p>(d) activities not meeting the conditions of Rules R104 or R105, including any associated:</p> <p>(e) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(f) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(g) damage to a part of the foreshore or seabed that forms part of a natural wetland, and</p> <p>(h) diversion of water, and</p> <p>(i) discharge of sediment to water</p> <p>are discretionary activities.</p>	
Issue 7	5 – Rules	Rule R108	<p><b>Rule R108: Activities in natural wetlands and significant natural wetlands – non-complying activity</b></p> <p>The following activities, in a natural wetland or significant natural wetland except for those stipulated in and carried out in accordance with a restoration management plan under Rule R106:</p> <p>(a) take, use, damming or diverting water into, within, or from the natural wetland,</p> <p>(b) land disturbance including excavation and deposition,</p> <p>(c) reclamation (including drainage or diverting of water to an extent that the area affected ceases to have the characteristics of a natural wetland), including any associated:</p> <p>(d) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(e) deposition in, on, or under a river or lake bed, or foreshore or seabed</p>	N/A

			that forms part of a natural wetland, and (f) damage to a part of the foreshore or seabed that forms part of a natural wetland, and (g) diversion of water, and (h) discharge of sediment to water are non-complying activities.	
Issue 7	5 - Rules	Rule R109	<b>Rule R109: Activities in outstanding natural wetlands – discretionary activity</b> The following activities in an outstanding natural wetland identified in Schedule A3 (outstanding wetlands), except those stipulated in and carried out in accordance with a restoration management plan under Rule R106: (a) the maintenance, repair or replacement (like for like) of existing structures, (b) the placement of new structures of an area less than 10m <sup>2</sup> for the purpose of hunting and recreation (including maimai and jetties), (c) the removal of existing structures, (d) removal of pest plants that are not permitted by Rule R105 are discretionary activities.	N/A
Issue 7	5 - Rules	Rule R110	<b>Rule R110: Activities in outstanding natural wetlands – non-complying activity</b> The following activities, in an outstanding natural wetland identified in Schedule A3 (outstanding wetlands), except for those stipulated in and carried out in accordance with a restoration management plan under Rule R106: (a) the discharge of water or contaminants, (b) take, use, damming or diverting water into, within, or from the wetland,	N/A
		Rule R111: Reclamation <u>or</u> <u>drainage</u> of outstanding natural wetlands –	Reclamation <u>or drainage</u> (including drainage or diverting of water to an extent that the area affected ceases to have the characteristics of a wetland) of all or part of an outstanding natural wetland identified in Schedule A3 (outstanding wetlands), except stipulated in and carried out in accordance with a restoration management plan under Rule	<b>Effectiveness and efficiency:</b> This amendment would make the rule more efficient and effective by providing greater clarity to plan users.

		prohibited activity	R106_ is a prohibited activity	<p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> The amendment provides greater clarity to plan users through its more succinct wording.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves the rule less clear than it could be.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the issues raised by the submitters.</p>
		<u>Rxxx: Structures in natural wetlands and significant natural wetlands within a site identified in Schedule C (mana whenua) – restricted discretionary activity</u>	<p><u>The placement of a new structure of an area less than 10m<sup>2</sup> for the purpose of hunting and recreation (including maimai and jetties), wetland restoration or the monitoring of wetland condition in a <b>natural wetland</b> or <b>significant natural wetland</b> that is identified in Schedule C (mana whenua), including any associated:</u></p> <ul style="list-style-type: none"> <li>a. <u>disturbance of a river or lake bed, or foreshore or seabed that forms part of a <b>natural wetland</b> or <b>significant natural wetland</b>, and</u></li> <li>b. <u>deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a <b>natural</b></u></li> </ul>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan’s efficiency and effectiveness by providing greater provision for sites of significance to mana whenua and associated cultural values.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b></p>

			<p><u>wetland or significant natural wetland, and</u></p> <p>c. <u>damage to a part of the foreshore or seabed that forms part of a natural wetland or significant natural wetland, and</u></p> <p>d. <u>diversion of water, and</u></p> <p>e. <u>discharge of sediment to water</u></p> <p><u>is a restricted discretionary activity, provided the following conditions are met:</u></p> <p>(f) <u>any new structure must meet the conditions of Rule R104.</u></p> <p><u>Matters for discretion</u></p> <p>1. <u>Effects on sites with significant mana whenua values</u></p>	<p>This new rule provides for greater consideration and protection of mana whenua values, thus providing notable cultural benefit.</p> <p><b>Risk of acting or not acting:</b> Not acting would fail to appropriately provide for sites of significance to mana whenua, in contravention of the intent of the Plan.</p> <p><b>Decision about most appropriate option:</b> I consider this amendment to be the most appropriate means of addressing the concerns raised by submitters.</p>
Issue 8	6 – Other Methods	Method M7	<p><b>Method M7: Outstanding water bodies</b></p> <p>Wellington Regional Council will:</p> <p>(a) review criteria in the Regional Policy Statement for the Wellington Region 2013 used to identify outstanding rivers and lakes for indigenous ecosystem values, and</p> <p>(b) use an expert panel to develop and apply criteria for outstanding recreational values of rivers and lakes in the region, and</p> <p>(c) work with territorial authorities to develop and apply criteria for outstanding landscape values of rivers and lakes, and</p> <p>(d) amend the Plan, after consultation with interested parties, through</p>	N/A

			plan change or variation to include outstanding rivers and lakes identified in (a), (b) and (c) above.	
Issue 3	6 – Other Methods	Method M9	<p><b>Method M9: Wairarapa Moana</b></p> <p>Wellington Regional Council will work with Kahungunu ki Wairarapa and Rangitāne o Wairarapa, and the community to restore the ecological values and improve the water quality of Wairarapa Moana. Management activities will include, but are not limited to:</p> <p>(a) monitoring, including kaitiaki information and monitoring, and</p> <p>(b) protecting and restoring the habitats of indigenous plants and animals, and</p> <p>(c) managing pest plants and animals, and</p> <p>(d) incorporating ecological, cultural and economic values into flood protection practices</p>	N/A
Issue 4	6 – Other Methods	Method M20	<p><b>Method M20: Wetlands</b></p> <p>Wellington Regional Council will work in partnership with mana whenua, landowners, territorial authorities, and the community to:</p> <p>(a) promote the value of wetlands and advocate for their management, restoration and protection, and</p> <p>(b) provide guidance to landowners with wetlands on their property to assist with the management of those wetlands, and (c) develop and implement Restoration Management Plans for landowners with outstanding wetlands and significant wetlands as required, and</p> <p>(d) provide incentives to landowners, such as assistance with the costs of riparian and wetland fencing, planting and pest control, and</p>	N/A

			(e) encourage and assist with the legal protection of wetlands through covenanting with the QEII National Trust, the Department of Conservation and Ngā Whenua Rahui.	
	6 – Other Methods	Method M21	<p><b>Method M21: Fish passage</b></p> <p>Wellington Regional Council will support the maintenance and restoration of fish passage in the region by: (a) developing and providing information on fish passage, and (b) providing training and guidance to landowners and managers, and (c) restoring fish passage in priority areas.</p>	N/A
	12 - Schedules	Schedule A3	<p>Add a preamble to Schedule A3:</p> <p><u>Wetlands listed in Schedule A3 as having outstanding indigenous ecosystem values meet the following criteria:</u></p> <ul style="list-style-type: none"> <li>• <u>are highly representative and either</u></li> <li>• <u>have high rarity values or</u></li> <li>• <u>are highly diverse.</u></li> </ul> <p>Add the following wetland to Schedule A3:</p> <p><u>Taupō Swamp Complex; Representativeness and rarity</u></p>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan's efficiency and effectiveness by clarifying what constitutes an outstanding indigenous ecosystem.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment provides greater clarity to plan users by outlining the criteria for a wetland to be considered to have outstanding indigenous ecosystem values.</p> <p>There is also the environmental benefit of the greater protection provided to the Taupo Swamp Complex, which has now been identified as having outstanding</p>

				<p>indigenous ecosystem values.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves this provision less clear than it could be, but I consider this risk to be low.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by submitters while focusing on efficiency and effectiveness.</p>
		Method M7	<p>Add to Method M7:</p> <p>d) <u>work with mana whenua to develop and apply criteria to identify water bodies with outstanding cultural and spiritual values, and</u></p>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan's efficiency and effectiveness by creating a means of identifying cultural and spiritual values of water, in line with the Plan's intent.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> There may be new financial costs associated with this proposed amendment that will be needed to facilitate this engagement with mana whenua</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment will provide for improved consideration of cultural and spiritual values of water bodies.</p>

				<p><b>Risk of acting or not acting:</b> Not acting would leave cultural and spiritual values largely excluded from consideration of significant values.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by submitters.</p>
		Schedule A2	<p>Add a preamble to Schedule A2:</p> <p><u>Lakes listed in Schedule A2 as having outstanding indigenous ecosystem values meet the following criteria:</u></p> <ul style="list-style-type: none"> <li>• <u>provide habitat for indigenous threatened/at risk fish species;</u></li> <li>• <u>provide habitat for six or more migratory indigenous fish species; and</u></li> </ul>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan's efficiency and effectiveness by clarifying what constitutes an outstanding indigenous ecosystem.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment provides greater clarity to plan users by outlining the criteria for a lake to be considered to have outstanding indigenous ecosystem values.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves this provision less clear than it could be, but I consider this risk to be low.</p>

				<p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by submitters while focusing on efficiency and effectiveness.</p>
		Schedule A1	<p>Add a preamble to Schedule A1:</p> <p><u>Rivers listed in Schedule A1 as having outstanding indigenous ecosystem values meet the following criteria:</u></p> <ul style="list-style-type: none"> <li>• <u>High macroinvertebrate health (MCI greater than 120) in areas with indigenous forest covering more than 80% of the upstream catchment; and</u></li> <li>• <u>Indigenous fish diversity (habitat for six or migratory indigenous fish species); and</u></li> <li>• <u>Threatened fish species (habitat for nationally threatened fish species); and</u></li> <li>• <u>Large (5th order) rivers</u></li> </ul>	<p><b>Effectiveness and efficiency:</b> This amendment enhances the Plan's efficiency and effectiveness by clarifying what constitutes an outstanding indigenous ecosystem.</p> <p><b>Costs (environmental, economic, social, and cultural):</b> No new costs.</p> <p><b>Benefits (environmental, economic, social, and cultural):</b> This amendment provides greater clarity to plan users by outlining the criteria for a river to be considered to have outstanding indigenous ecosystem values.</p> <p><b>Risk of acting or not acting:</b> Not acting leaves this provision less clear than it could be, but I consider this risk to be low.</p> <p><b>Decision about most appropriate option:</b> I consider that this amendment is the most appropriate means of addressing the concerns raised by</p>

				submitters while focusing on efficiency and effectiveness.
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