

Appendix A

The part of the decision being appealed	Reasons for the appeal	Appeal relief sought
1. Entire Plan		
Entire Plan	The submissions from Rangitāne sought that where freshwater limits and objectives in the Plan are not currently met, that timeframes by which they will be met are inserted into the respective provisions. Doing so is consistent with giving effect to the NPS-FM. In most cases those or alternative timeframes have not been included. Even though the Regional Council has elected to undertake a staged implementation of the NPS-FM, there is no impediment to the Council including freshwater objectives, limits and targets (including timeframes for resolving over-allocation). Doing so provides certainty to resource users and the community.	Amend the objectives, policies, rules and other provisions to include timeframes for resolving over-allocation or remedying existing adverse effects.
2. Definitions – ‘Cultural impact assessment’ S279/009		
<p>The definition was amended as follows:</p> <p>A report prepared to consider and assess the potential impacts of an activity on the cultural values within an area.</p> <p>A cultural impact assessment may include, but is not limited to, Māori history, Treaty claims and settlements, presence of significant sites, social effects and recommendations for avoiding, remedying and mitigating adverse effects.</p> <p>Note: The Wellington Regional Council maintains a list of the contact details for</p>	The definition is inconsistent with the RPS.	Amend the definition to “cultural assessment” to be consistent with RPS.

<u>iwi authorities.</u>		
3. Definition - Core Allocation		
<p>...The maximum amount of water available for allocation: (a) for the <u>catchment management unit</u> and <u>catchment management sub-unit</u> listed in the <u>whaitua</u> chapters shall not exceed whichever is the greater of: (i) The total amount allocated by resource consents at the time the resource consent application is lodged, or (ii) The <u>allocation amounts</u> provided...</p>	<p>This definition reads as a Rule rather than a definition. This reduces the ability for the policies and rules to be used to retract over-allocation (being the actual sustainable allocation described in (a)(ii) of the definition.</p> <p>Including existing consented allocation within the definition of core allocation (which is a form of limit) is inconsistent with giving effect to the NPS-FM because the limit is inconsistent with the related freshwater objectives.</p>	<p>Amend the definition by deleting (i) The total amount allocated by resource consents at the time the resource consent application is lodged.</p>
4. Definition – Drain		
<p>Any artificial watercourse, open <u>or piped watercourse</u>, designed and constructed for the purpose of land drainage of surface or subsurface water. Channels designed and constructed to convey water only during rainfall events and which do not convey or retain water at other times are excluded from this definition. <u>Only for the purpose of Rule R121 (drain clearance) a drain also includes a highly modified watercourse or river and is channelled to such an extent that it has the characteristics of a farm drainage canal.</u> <u>Note:</u> <u>For the avoidance of doubt, channels or swales that only convey water during or immediately</u></p>	<p>The exclusion in the note would capture drains such as those around the base of a slope designed to catch overland flow before it reaches a flat area of land below. These will still be capturing contaminants and discharging into the environment so should be captured within the definition of a drain so that it is managed via Plan rules.</p>	<p>Delete the note.</p>

<p><u>following rainfall events are not drains.</u> <u>Many watercourses that are considered to be drains are natural watercourses that have been highly modified, often over many decades, and include channels dug to drain natural wetlands.</u></p>		
<p>5. Definition – Earthworks</p>		
<p><u>(i) any earthworks or soil disturbances covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, and</u> <u>(j) discharge of cleanfill material.</u></p>	<p>Earthworks and soil disturbance can adversely affect sites of significance to mana whenua and Nga Taonga Nui a Kiwa but there is not specific scope within the NES-PF to allow those effects to be managed. The Plan’s objectives, policies and rules that relate to management of effects of plantation forestry (such as effects on sites of significance) should continue to have effect.</p>	<p>Remove the exclusion for earthworks or soil disturbance covered by the NES-PF, and make any consequential changes to objectives, policies and rules to enable management of the effects of the activity on sites of significance to mana whenua and Nga Taonga Nui a Kiwa.</p>
<p>6. Definition – Existing Discharge</p>		
<p>In the context of <u>wastewater</u> discharged into fresh <u>or coastal</u> water from a <u>wastewater</u> treatment plant or a <u>wastewater network</u> means; a) a discharge already authorised by an <u>existing resource consent</u> resource consent at the time of application for a new resource consent relating to the same <u>or similar</u> activity, <u>and / or</u> <u>b) discharges from previously occurring heavy rainfall event overflows from a wastewater network.</u></p>	<p>The inclusion of unlawful overflows of unknown volume or frequency as part of the definition in effect authorises those existing discharges without the Council satisfying the requirements of s70 RMA or understanding the adverse effects on the environment. The definition should only include overflows that are lawfully established via existing resource consents.</p>	<p>Delete (b).</p>
<p>7. Definition – Fertiliser</p>		

<p>...(i) (a) Nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, or and sodium as major nutrients, and or (ii) (b) Manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, or and selenium as minor nutrients, and (iii) (c) Fertiliser additives to facilitate the uptake and use of nutrients, and...</p>	<p>This should be 'or' or 'and/or' as not all fertiliser mixes will have all of the listed constituents. It is important that the rules in the Plan are clear in what contaminants are managed.</p>	<p>Replace 'and' with 'or' in (i)(a) and (ii)(b).</p>
<p>8. Definition – Good management practice</p>		
<p>Practices, procedures or tools (including rules) that are effective at achieving the desired performance while providing for desired environmental outcomes. <u>Good management practice</u> evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminated. <u>Examples of Good management practice</u> guidelines can be found on the Wellington Regional Council's website http://www.gw.govt.nz/good-management-practice/.</p>	<p>This definition is not sufficiently certain to enable a clear interpretation and application of associated rules and policies. The definition allows for what is Good Management Practice to change over time and without any public or other scrutiny as to suitability or appropriateness for managing adverse effects. If 'good management practice' is to be used as an effective management approach to addressing adverse effects of activities on the environment, the Plan should include a clear definition of what those practices are. This definition has implications on the effectiveness of a number of objectives, policies and methods in the Plan.</p>	<p>Replace the definition of Good Management Practice with a definition that is specific, certain and enforceable.</p>
<p>9. Definition – Minimum flow or water level</p>		
<p>The flow or water level at which abstraction from a river or <u>groundwater directly connected to surface water</u> Category A groundwater or Category B groundwater (as described in Table 4.1 Restrictions (i) and (ii)) is restricted by Wellington</p>	<p>Definition does not currently apply to takes from a lake. Should include 'lake' in the</p>	<p>Amend the definition so that it does not allow for water to be taken below the minimum flow.</p>

<p>Regional Council (or required to cease). The flow in a river or water level in a lake may naturally drop below the <u>interim minimum flow or water level</u> following the restriction/suspension of abstractions.</p>	<p>definition to ensure it captures all water bodies. The minimum flow should be the point at which takes cease, not when they are restricted. It is a limit for the purposes of the NPS-FM and therefore should not be based on the discretion of the Council as to when it does or does not apply.</p>	
<p>10. Definition – Upgrade</p>		
<p>Use and development to bring existing structures or facilities up to current standards <u>or to improve the functional characteristics of structures or facilities,</u> provided <u>the upgrading itself does not give rise to any significant adverse effects on the environment and provided</u> that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.</p>	<p>This is not sufficiently certain as a definition, as it requires a discretionary assessment of the level of effects. The definition should be amended to define the degree of change in the activity itself (such as percentage change in footprint).</p>	<p>Amend the definition to define the degree of change in the activity itself (such as percentage change in footprint) or such other means to provide certainty and enforceability.</p>
<p>11. Definition - Wairarapa Moana</p>		
<p>Includes the <u>water and</u> beds of Lake Wairarapa and Lake Onoke, <u>and</u> the publicly owned reserves adjacent to the lakes, <u>the connections between the lakes and wetlands and the ecological systems within those areas.</u></p>	<p>The Wairarapa iwi Treaty Settlements propose to transfer the ownership of a number of public reserves to iwi. This definition should be amended to reflect that legislation to ensure the provisions of the Plan continue to apply to the same areas that it was intended to be covered when notified.</p>	<p>Amended to reflect the proposed Wairarapa Treaty Settlement legislation relating to Wairarapa Moana to ensure the provisions of the Plan continue to apply to the same areas that it was intended to be covered when notified.</p>

12. Definition – Wastewater network		
A community reticulated wastewater system, including, <u>but not limited to, a network of devices</u> , pipes and pump stations, designed to accept and transport wastewater from properties to a treatment plant <u>and the discharge of treated wastewater from a wastewater treatment plant</u> .	This definition should not include the discharge as part of the network definition. The network ends at the end of the pipe where the discharge occurs.	Delete reference to the discharge from the definition.
13. Beneficial use and development – Objective O7 S279/018		
The submissions were accepted but Objective O7 was deleted.	Unclear in the decision how this submission was accepted if deleted.	As submitted. Retain Objective O7 as notified or provide clarity as to how O7 has been implemented elsewhere in the Plan.
14. Māori relationships – Objective O16 S279/027		
Accepted in part. Objective O16 was deleted.	The Objective needs to provide for the protection of Ngā Taonga Nui a Kiwa in order to provide for the relationships of Maori and the culture and traditions with them.	As submitted. Amend Objective O16 to: Also refer to the relationship of the culture and traditions of mana whenua with Ngā Taonga Nui a Kiwa. Amend as follows: Ngā Taonga Nui a Kiwa are protected from use and development that will adversely affect the characteristics and qualities that provide for the relationships and values Maori, and their culture and traditions, have with them.
15. Natural character form and function – Objective O20 S279/031		
Rejected. Objective O20 was amended as follows: The <u>hazard risk</u> , <u>and</u> residual hazard risk, <u>and adverse effects</u> from natural hazards and <u>adverse effects of</u> climate change, on people, the community and infrastructure are acceptable.	The Objectives is unclear. Specifically the term acceptable requires certainty.	Retain Objective O20 but amend to clearly state what 'acceptable' means.

16. Natural character form and function – Objective O22 S279/033		
Objective O22 was deleted.	Objective O22 should not have been deleted.	As submitted. Retain Objective O22 as notified.
17. Water quality – Objective O24 S279/035		
<p>Accept in part. Objective O24 was amended as follows:</p> <p>Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:</p> <p>(a) maintaining water quality, or</p> <p>(b) improving water quality in:</p> <p>(i) significant contact recreation fresh water bodies <u>and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa</u> to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and</p> <p>(ii) coastal water <u>and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa</u> to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and</p> <p>(iii) all other rivers and lakes and natural wetlands to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.</p>	<p>Achieving primary contact recreation water quality should be achieved throughout the region, at least where achieving that outcome is achievable through the management of use and development.</p>	<p>As Submitted.</p> <p>Amend the objective so that all water bodies meet the contact recreation outcomes; and</p> <ol style="list-style-type: none"> 1. Benthic cyanobacteria should refer to <20% numeric threshold rather than a narrative. 2. It is inappropriate to refer to an external technical document for guidance on interpretation of objectives in Tables 3.1 and 3.2. A key to interpret the objectives is needed for inclusion in the Plan as is standard practice in other plans, such a key would include all of the compliance statistics and methods relevant to each objective. 3. Periphyton cover for contact recreation should also be included (as per my technical advice) and the numeric threshold should be ≤30% cover using the peri WCC method of Matheson et al. (2012) 4. Nuisance macrophytes should be included as ≤50% cover of channel water surface area for aesthetics in rivers 5. There are no symbols in front of the

		<p>numerics for sediment cover or water clarity respectively – these need to be added as follows: ≥ 1.6 m water clarity and $< 25\%$ sediment cover.</p> <p>Amend to provide a key to interpret compliance with the objective, relevant methods and compliance statistics and for the inclusion of periphyton cover in Table 3.1, nuisance macrophyte cover in Tables 3.1 and 3.2 and to amend the numeric objectives for water clarity and sediment cover to include relevant signs (i.e., “\geq” and “$<$”).</p> <p>Amend the Objective O24 to ensure that: All water bodies in the Region are suitable for primary contact recreation; and A date that is no later than 2030 is added to the objective to define when the objectives outcomes are to be met.</p>
<p>18. Biodiversity, aquatic ecosystem health – Objective O28 S279/039</p>		
<p>Accepted in part. Objective O28 has been amended as follows:</p> <p>The extent <u>and significant values</u> of natural wetlands <u>is maintained or increased, are protected</u>, and their condition is restored. <u>Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.</u></p>	<p>Objective has been amended to direct that natural wetlands are protected as requested, but not 'from use and development'. There has been no mention in the changes of 'protection of indigenous flora and fauna species in those wetlands'.</p>	<p>As submitted. Amend the objective so that it directs that natural wetlands are to be protected from use and development that may adversely affect their ecosystem values, extent and processes. This protection should extend to protection of indigenous flora and fauna species in those wetlands</p>

19. Sites of significant values – Objective O31 S279/042		
<p>Rejected. Amended Objective O31 as follows:</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>There an insufficient assessment of outstanding water bodies in:</p> <ul style="list-style-type: none"> - The coastal marine area; and - Beds of lakes and rivers. <p>Failing to identify these and include them as part of the Plan does not give effect to the NZCPS (in relation to the coastal environment) and results in it being unlikely that the Plan will be effective in achieving the appropriate management of adverse effects on those landscapes and features.</p>	<p>As submitted. Amend the Objective O31 to ensure:</p> <ol style="list-style-type: none"> 1. A full assessment of outstanding natural features and landscapes in the coastal marine area and in the beds of lakes and rivers is completed based on the full range of values (natural science, sensory and shared or recognised) specifically including tangata whenua values; 2. Wairarapa Moana and the Ruamahanga River and its tributaries are recorded as Outstanding Water Bodies. Palliser Bay, including the Lake Onoke, is identified as an area of outstanding natural landscape; and 3. Undertake an assessment and include maps and other details of all outstanding natural features and landscapes in the Proposed Plan. Describe what the outstanding water bodies and values are to be protected from. <p>Make any consequential amendments to other provisions in the Plan to give effect to this relief.</p>
20. Sites of significant values – Objective O32 S279/043		
<p>Accepted in part. Objective O32 was amended as follows:</p> <p>Outstanding natural features and landscapes <u>and their values</u> are protected</p>	<p>There an insufficient assessment of outstanding natural features and landscapes in:</p>	<p>As submitted. Retain Objective O32, but undertake a thorough assessment of the outstanding natural features and</p>

<p>from inappropriate use and development.</p>	<ul style="list-style-type: none"> - The coastal marine area; and - Beds of lakes and rivers. <p>Failing to identify these and include them as part of the Plan does not give effect to the NZCPS (in relation to the coastal environment) and results in it being unlikely that the Plan will be effective in achieving the appropriate management of adverse effects on those landscapes and features.</p>	<p>landscapes of the Wellington Region with particular consideration given to those natural features and landscapes with value to tangata whenua.</p> <p>Alternatively, significant natural features and landscapes and areas of at least high natural character in the coastal environment should be derived from the existing studies (including those associated with the Wairarapa Coastal Strategy) and provided with sufficient interim protection.</p>
<p>21. Discharges <u>to land and water</u> – Objective O50 S279/060</p>		
<p>Rejected. Objective O50 was retained as notified.</p>	<p>Discharges of wastewater to water should be phased out. The Plan should include timeframes for achieving this to provide certainty to resource users and communities, and to ensure that the objectives are timebound.</p>	<p>As submitted. Amend Objective O50 to achieve the following: New or increases in existing discharges of wastewater to fresh water are not allowed and existing discharges of wastewater to water are progressively reduced so that they are fully phased out by no later than 2030.</p>
<p>22. Policy P62: Promoting discharges to land S279/113</p>		
<p>Rejected. Policy P62 was retained as notified.</p>	<p>There should be a strong policy direction to resolve activities that are causing significant adverse effects on the environment and on Māori cultural and traditional uses, relationships and values associated with water.</p>	<p>As submitted. Amend Policy P62 as follows: Policy P62: <u>Promoting Requiring</u> discharges to land The discharge of contaminants to land shall occur in situations where direct discharge of contaminants to water will</p>

		<p>cause adverse effects on:</p> <p>(a) aquatic ecosystem health and mahinga kai, or (b) contact recreation and Maori customary use (b) mahinga kai (c) contact recreation, or (d) Māori customary use.</p>
23. Policy P68: Inappropriate discharges to water S279/120		
<p>Accepted in Part. Policy P68 was amended as follows:</p> <p>Avoiding inappropriate discharges to water Discharges to fresh and coastal water of:</p> <p>(a) untreated wastewater, except as a result of extreme weather related heavy rainfall event overflows or wastewater system failures or from recreational boating activities, and...</p>	<p>While overflows from wastewater networks are not always avoidable, there should not be an unfettered policy gateway for such discharges. If an exception is provided for such discharges, the policy should provide specific and clear guidance on how such discharges are to be managed to ensure this policy does not undermine the objectives of the Plan.</p>	<p>Amend the policy to ensure that it does not enable wastewater overflow discharges to the environment without comprehensive management and a requirement to phase out the discharges within a specified timeframe, and by no later than 2030.</p>
24. Policy P99: Livestock access to surface water bodies S279/132		
<p>Accepted in part. Policy P99 was amended as follows:</p> <p>Livestock access to a surface water bodies ies and the coastal marine area.</p> <p>Sedimentation, the direct discharge of contaminants, damage to the beds or banks, and degradation of aquatic ecosystems disturbance to the banks and beds (including plants and habitats in, on or under the bed) of a surface water bodies ies and or the coastal marine area resulting from livestock access shall be managed to:</p> <p>(a) protect aquatic habitat and water quality, and (b) protect the significant values of Category 1 surface water bodies- by excluding livestock from these water bodies, and</p>	<p>Livestock that cause adverse effects on the beds and banks of water bodies, and on water quality, should be excluded. The policy and associated rules should be amended to ensure that stock that adversely affect those smaller tributaries are excluded from them.</p>	<p>As submitted.</p> <p>Amend Policy P99 and associated rules to focus on avoiding discharges of sediment and contaminants as a first priority, and then avoiding, remedying or mitigating adverse effects.</p> <p>Amend the policy and associated rules to require that stock are excluded from sites in Schedules A-F and H.</p> <p>The policy and associated rules should be amended to ensure that stock that</p>

<p>(b) outside a Category 1 surface water body, Where livestock are not excluded from the bed (including the banks) of surface water bodies, the adverse effects of access are avoided, remedied or mitigated by methods, such as, but not limited to: (c) restricting the location and frequency of access of some types of livestock, and</p> <p>(d) restricting the numbers of animals, and</p> <p>(e) limiting the density, frequency and duration of access, and</p> <p>(f) providing sufficient alternative sources of drinking water, shade and grazing outside of the banks and beds.</p>		<p>adversely affect those smaller tributaries are excluded from them.</p>
<p>25. Policy P102: Reclamation drainage of the beds of lakes and rivers S279/135</p>		
<p>Accepted in part. Policy P102 was amended as follows:</p> <p>The reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided, <u>in particular those identified in Schedules A (outstanding water bodies) and C (mana whenua)</u>, except where the reclamation or drainage is:</p> <p>(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or</p> <p>(b) associated with a qualifying development within a special housing area, or</p> <p><u>(eb)</u> associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or</p> <p>(dc) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or</p> <p><u>(ed)</u> associated with the creation of a new river bed and does not involve piping of the river, and</p> <p><u>(e) for the purpose of forming a reasonable crossing point, and</u></p> <p>(f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or</p> <p>(g) the reclamation or drainage is of an ephemeral flow path.</p> <p>For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</p>	<p>Reference has been made to Schedules A and C but not B, D, E and F.</p>	<p>As submitted.</p> <p>Amend the policy and associated rules so that the exclusions do not automatically apply to sites listed in Schedules A-F.</p>
<p>26. Policy P103: Management of gravel extraction S279/136</p>		

<p>Accepted in part. Policy P103 was amended as follows:</p> <p>Management of gravel, <u>sand or rock</u> extraction</p> <p>The extraction of gravel, sand or rock from the beds of rivers shall be managed so that:</p> <p>(a)...</p> <p>(b) the flow of <u>bed material sediment and gravel</u> to the coast is not reduced to the extent it would contribute to coastal erosion, and</p> <p>(c) the rate of <u>gravel</u> extraction does not exceed the natural rates of <u>gravel</u> deposition, unless this is required to manage aggradation.</p> <p><u>Note</u> <u>This policy does not apply to the disturbance of a river bed, including as a result of bed recontouring, where no gravel or sand is extracted from the river.</u></p>	<p>Reference has been made to Schedules A and C but not B, D, E and F.</p>	<p>As submitted.</p> <p>Amend the policy and associated rules to avoid adverse effects of extraction activities on sites in Schedules A-F, including by avoiding activities in or near sites of significance to mana whenua in the first instance.</p>
27. Entire Plan S279/005		
<p>Entire plan</p>	<p>The provisions of the Plan allow for use and development of natural and physical resources in a way that will not safe-guard the life-supporting capacity of water, air soil and ecosystems. The provisions of the Plan do not provide for the reasonable needs of future generations, including future generations of Māori, and the provisions of the Plan do not avoid, remedy or mitigate the adverse effects of use and development.</p>	<p>As submitted.</p> <p>Amend provisions to ensure they are consistent with S5 (2)(c) RMA.</p>
28. Entire Plan S279/006		
<p>Entire plan</p>	<p>The relevant objectives and policies of the RPS are not given full effect to in the Plan. The Plan should be amended</p>	<p>As submitted.</p> <p>Amend Plan to ensure relevant objectives and policies in the RPS are given effect to.</p>

	to achieve this outcome, with the necessary consequential amendments to provisions elsewhere in the Plan. This is particularly in relation to freshwater and the coastal environment.	
29. Entire Plan S279/001		
Entire plan	Meeting the requirements of s6(e) of the Act is necessary to achieve the purpose of the Act.	As submitted. Amend, add, delete provisions to meet 6 (E) RMA in order to provide for Maori relationships.
30. Entire Plan S279/002		
Entire plan	The Plan does, in some instances, include freshwater limits, however these are not consistently applied or implemented through the provisions. This includes both water quality and water quantity limits. A comprehensive set of appropriate limits should be included in the Plan that achieve the freshwater objectives, and the policies and rules should be amended where necessary to ensure that those limits are not exceeded and, where they are currently exceeded, over-allocation is resolved within timeframes.	As submitted. Amend Plan to include freshwater resource limits and where these are not there is a regime to achieve them. This should include timeframes for achieving limits where they are not currently met.
31. Introduction S279/007		
Introduction and Section 1		As submitted.

		Amend introduction and all section 1 to reflect the changes to all provisions in the Plan sought by this appeal
32. Integrated catchment management S279/008		
Table 1.1	The NPS-FM management framework is driven from values. It is important that the Plan includes reference to the relevant values, so they provide a clear thread throughout the Plan's management regime. The table should as a minimum refer to values articulated elsewhere in the Plan.	As submitted. Add a comprehensive list of values to Table 1.1 including schedules B & C.
33. Ki uta ki tai: mountains to the sea – Objective O2 S279/012		
Accepted in part. Objective O2 was amended as follows: The importance and contribution of <u>air</u> , land and water to the social, economic and cultural well-being of the community are recognised <u>in the management and, where applicable, allocation of those resources.</u>	The Plan has little or no recognition of the importance and interconnectedness of ecosystems, and their role in supporting community well-being. Ecosystems are also critical elements of Rangitāne relationships and values, including mahinga kai.	As submitted. The objective should include reference to ecosystems, including terrestrial, freshwater and coastal marine. Amend Objective O2 as follows: The importance and contribution of land and water, <u>and ecological systems and processes</u> , to the social, economic and cultural well-being, <u>and the health of people and</u> the community are recognised.
34. Ki uta ki tai: mountains to the sea - Objective O4 S279/014		
Accepted in part.	Decision does not refer to all	As submitted.

<p>Objective O4 was amended as follows:</p> <p>The intrinsic values of <u>aquatic</u> fresh water and marine ecosystems <u>are recognised</u> and the life supporting capacity of water <u>is are recognised safeguarded</u>.</p>	<p>relevant matters in S5(2)(b), nor does it refer to all ecosystem types.</p>	<p>The objective should be amended to refer to the different ecosystem types included in s5(2)(b).</p> <p>The objective should refer to either 'fresh water ecosystem' or 'aquatic ecosystem' rather than 'aquatic fresh water ecosystem'.</p> <p>Alternatively, add new separate objectives in which the outcome is to safe-guard the life-supporting capacity of each of the matters in S5(2)(b).</p>
<p>35. Beneficial use and development - Objective O11 S279/022</p>		
<p>Objective O11 was deleted.</p>	<p>The objectives and other provisions of the Plan should be amended to more overtly recognise the relationship Rangitāne have with the natural and physical resources in their rohe. In particular, the Plan should more accurately reflect the enduring relationship Rangitāne have with land and resources referred to in the Wairarapa Treaty Settlement, including the particular relationship with Wairarapa Moana and the Ruamahanga River catchment.</p>	<p>As submitted.</p> <p>Amend the objective to ensure: Māori customary use is replaced with appropriate reference to the full extent of the relationship of Māori and their culture and traditions with fresh and coastal water bodies;</p> <p>The ongoing and enduring relationships of tangata whenua over their lands, water, and other resources and sites are appropriately recognised and provided for; and</p> <p>Tangata whenua have the ability to exercise kaitiakitanga over waters, lands and fisheries in the coastal environment.</p>
<p>36. Beneficial use and development - Objective O13 S279/024</p>		
<p>Rejected.</p> <p>Objective O13 was amended as follows:</p>	<p>This objective potentially imposes limitations on the use of resources for cultural and</p>	<p>As submitted.</p> <p>Amend the objective and any related provisions to be clear that it applies to</p>

<p><u>The Significant mineral resources use and the ongoing operation, maintenance and upgrade of regionally significant infrastructure and renewable energy generation activities</u> in the coastal marine area <u>and beds of rivers and lakes</u> are protected from <u>new</u> incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</p>	<p>traditional purposes, which is not consistent with s6(e) of the Act or other objectives of the Plan. Introduction of significant mineral resources into the objective significantly extends the spatial effect of the objective to what was notified. The objective should be changed to remove significant mineral resources and should only apply to existing infrastructure and activities.</p>	<p>existing infrastructure only.</p>
<p>37. Natural character, form and function - Objective O17 S279/028</p>		
<p>Accepted. Objective O17 is amended as follows:</p> <p>The <u>natural character</u> of the coastal marine area, <u>natural wetlands, and</u> rivers, lakes and their margins <u>and natural wetlands</u> is preserved and protected from inappropriate use and development.</p>	<p>Support the current wording but the submission highlighted that areas of outstanding and high natural character hasn't been identified, which is necessary to give effect to the NZCPS. While a new method has been introduced requiring a natural character assessment for the coastal environment, a timeframe for completing this has not been specified.</p>	<p>As submitted. Either the natural character assessment should be undertaken now or an appropriate date should be added to the method to ensure the issue is resolved as soon as possible.</p>
<p>38. Water quality - Objective O23 S279/034</p>		
<p>Accepted in part. Objective O23 was amended as follows:</p> <p>The quality of <u>groundwater</u>, water in <u>the region's rivers, lakes, natural wetlands</u> <u>surface water bodies, groundwater</u> and the coastal marine area is maintained or improved.</p>	<p>The use of the term 'surface water bodies' captures some other water bodies. However, it does exclude a subset of artificial and ephemeral water bodies, which should also be managed as they contribute to</p>	<p>As submitted. This objective or the associated definition of water bodies should be amended to ensure that the outcomes apply to all waterbodies that have ecological values or that discharge into natural waterbodies.</p>

	water quality and ecosystem outcomes. The related definitions in the Plan.	
39. Biodiversity, aquatic ecosystem health - Objective O25 S279/036		
<p>Accepted in part. Objective O25 has been amended as follows:</p> <p>To safeguard Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and</p> <p>(b) restoration of aquatic ecosystem health and mahinga kai is encouraged, and</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p> <p><u>Note</u> Where the relevant whitua sections of the Plan contain an objective on the same subject matter as Objective O25 (water quality, biological and habitat outcomes), the more specific whitua objective will take precedence.</p>	<p>The note has been deleted and reference to Table 3.2 in the footnote under Table 3.8 has been removed. However, the remainder of the relief requested by Rangitāne has not been provided.</p>	<p>As submitted.</p> <p>Amend Objective O25 and associated tables as follows:</p> <p>Reword clause (c) to be clear that the water bodies that do not meet the objectives in the tables are the water bodies where enhancement to the specified level is required.</p> <p>A date that is no later than 2030 is added to the objective to define when the achievement of the objective's outcomes are to be met.</p> <p>Delete the note.</p> <p>Amend the tables to be clear that 'appropriate for the area' means that presence, quantities, size and quality should represent what is expected in each area based on natural distribution and natural habitat.</p> <p>The footnote on Table 3.8 should refer to Table 3.5, not 3.2</p> <p>Amend Tables 3.5 and 3.8 to describe outcomes for Lake Onoke and other coastal lakes that remains consistent despite intermittent opening and closing to the sea.</p> <p>Include outcomes that safeguard seabird ecosystem requirements.</p>
40. Sites with significant values - Objective O34 S279/045		
<p>Rejected. Objective O43 was retained as notified.</p>	<p>Both the sites themselves and the values that make the sites significant require protection.</p>	<p>As submitted.</p> <p>Amend Objective O34 so that it refers to the protection of sites as well as</p>

	If the values are not protected, the significance of the sites is likely to be diminished.	values.
41. Soil - Objective O42 S279/052		
<p>Rejected. Objective O42 was amended as follows:</p> <p>Soils are healthy, and <u>productive, retain a range of uses</u>, and accelerated soil erosion is reduced.</p>	<p>Safeguarding the life-supporting capacity of soils and the ecosystems they support is a s5 matter that the Plan should explicitly have as an objective. While provisions in the Plan hint at these outcomes, it would be significantly more certain if this objective was amended to state that outcome.</p>	<p>As submitted. Amend the Objective O42 to: Create a linkage with the other objectives of the Plan that relate to aquatic ecosystem health so that an outcome is defined within the objective; and State that life-supporting capacity of soil is safeguarded and, where it has been degraded, enhanced to a level that supports a healthy ecosystem.</p>
42. Discharges to <u>land and water</u> - Objective O46 S279/056		
<p>Accepted in part. Objective O46 was amended as follows:</p> <p>Discharges to land are managed to reduce The runoff or leaching of contaminants to water <u>from discharges to land is minimised.</u></p>	<p>The relationship between objectives relating to particular activities, such as discharges to land, are not clearly connected to the achievement of the freshwater objectives. Use of the term 'minimised' in these objectives makes it ambiguous as to what the intended environmental outcome is.</p>	<p>As submitted.</p> <p>Discharges to land are managed to <u>reduce avoid</u> the runoff or leaching of contaminants to water <u>where those contaminants, by themselves or in combination with other contaminants, will cause the freshwater objectives and limits in this Plan to be exceeded.</u></p> <p>Or otherwise amend the objectives to clearly connect to the freshwater objectives.</p>
43. Discharges to <u>land and water</u> - Objective O47 S279/057		
<p>Rejected.</p>	<p>The relationship between</p>	<p>As submitted.</p>

<p>Objective O47 was amended as follows:</p> <p>The amount of sediment-laden runoff entering water is reduced <u>minimised</u>.</p>	<p>objectives relating to particular activities, such as discharges to land, are not clearly connected to the achievement of the freshwater objectives. Use of the term 'minimised' in these objectives makes it ambiguous as to what the intended environmental outcome is.</p>	<p>Amend the objectives to clearly connect to the freshwater objectives</p> <p>Provide a clear time-bound outcome statement within the objective, such as to avoid sediment-laden runoff to water where it will cause the freshwater objectives and limits in this Plan to be exceeded and reduce existing sediment discharges to a level that will cause the freshwater objectives and limits to be met by no later than 2030.</p>
<p>44. Discharges to <u>land and water</u> - Objective O48 S279/058</p>		
<p>Rejected.</p> <p>Objective O48 was amended as follows:</p> <p>Stormwater networks and urban land uses are managed so that tThe adverse quality and quantity effects of stormwater discharges from the stormwater networks and urban land uses are improved over time.</p>	<p>The relationship between objectives relating to particular activities, such as discharges to land, are not clearly connected to the achievement of the freshwater objectives. Use of the term 'minimised' in these objectives makes it ambiguous as to what the intended environmental outcome is.</p>	<p>As submitted.</p> <p>Amend the objectives to clearly connect to the freshwater objectives</p> <p>Amend the objective to provide a clear time-bound outcome statement within the objective, such as "... to a level consistent with achieving the objectives and limits in this Plan, and to avoid, remedy and mitigate local adverse effects on life-supporting capacity, mahinga kai, and significant sites".</p>
<p>45. Policies S279/154</p>		
<p>Rejected.</p> <p>No changes made.</p>	<p>The integrated management of activities that affect water quality, water quantity and other natural resources is inherent in the objectives referring to ki uta ki tai. The decisions on the Plan, particularly the rules and associated policies, do not provide clear scope and</p>	<p>As submitted.</p> <p>Add or amend policies and rules that provide for this integrated management ability.</p> <p>Add a new policy and associated rules that directs the following:</p> <p>Consistent with Objective O1, the taking and use of fresh water shall be</p>

	guidance to decision-makers to consider the combined effects such as the effects of the use of water for irrigation and the related discharges of contaminants from associated irrigated land use.	managed in an integrated manner with associated land uses and discharges by considering and making decisions on resource consent applications for land use, water use and discharges together (at the same time) to ensure that the freshwater objectives and freshwater limits will be met.
46. Policies S279/229		
Rejected. No changes made.	The integrated management of activities that affect water quality, water quantity and other natural resources is inherent in the objectives referring to ki uta ki tai. The decisions on the Plan, particularly the rules and associated policies, do not provide clear scope and guidance to decision-makers to consider the combined effects such as the effects of the use of water for irrigation and the related discharges of contaminants from associated irrigated land use.	As submitted. Where appropriate, policies should refer to the freshwater objectives and limits rather than 'minimised'. Amend all policies that refer to effects being minimised so that management outcomes are clear.
47. Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities S279/080		
Rejected. Policy P13 was amended as follows: <u>Providing for</u> Existing regionally significant infrastructure and renewable electricity generation <u>facilities</u> activities The use, <u>development</u> , operation, maintenance, and upgrade of <u>existing</u> regionally significant infrastructure and renewable energy generation activities are <u>beneficial and generally appropriate provided for</u> .	It is not clear within the policy set how a conflict between policies dealing with sites of significance to mana whenua. The policy should be amended to be clear that new regionally significant infrastructure does not trump protection of areas of significance and other high	As submitted. Amend to state where the benefit is accrued and to be clear that adverse effects of the operation, use, maintenance and upgrade can still have adverse effects on the environment and need to be managed. Add in a new policy to ensure that new,

	values natural resources.	or increases in scale or extent of existing, regionally significant infrastructure and renewable energy generation facilities shall avoid causing adverse effects on sites in Schedules A to F, H and J.
48. Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities S279/081		
<p>Rejected. Policy P14 was amended as follows:</p> <p>Incompatible activities adjacent to regionally significant infrastructure, and renewable electricity generation activities <u>and significant mineral resources</u>. <u>Regionally significant infrastructure, and renewable energy generation activities and significant mineral resources</u> shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects.</p>	<p>This policy may affect the use of sites by Māori, including for cultural and traditional purposes. The Policy should be amended to ensure that such restrictions are not created.</p>	<p>As submitted. Amend to state where the benefit is accrued and to be clear that adverse effects of the operation, use, maintenance and upgrade can still have adverse effects on the environment and need to be managed.</p> <p>Add in a new policy to ensure that new, or increases in scale or extent of existing, regionally significant infrastructure and renewable energy generation facilities shall avoid causing adverse effects on sites in Schedules A to F, H and J.</p>
49. Policy P19: Māori values S279/084		
<p>Rejected. Policy P19 was retained as notified.</p>	<p>The term 'minimised' does not clearly connect to a defineable outcome.</p>	<p>As Submitted. Amend the policy by replacing "minimised" with "avoided".</p>
50. Policy P21: Statutory acknowledgements S279/086		
<p>Rejected. Policy P21 was retained as notified.</p>	<p>The Rangitāne o Wairarapa settlement has since been passed into law. [see - Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017]</p>	<p>As submitted. The statutory acknowledgements included in the settlement should be included in Schedule D of the Plan.</p>
51. Policy P48: Protection of outstanding natural features and landscapes S279/109		
<p>Accepted in part.</p>	<p>An assessment to identify the</p>	<p>As submitted.</p>

<p>Policy P48 has been amended as follows:</p> <p>Policy P48: Protection of <u>outstanding</u> natural features and landscapes</p> <p>The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</p> <p><u>(a) identifying outstanding natural features and landscapes within the region, and</u></p> <p><u>(ab) avoiding adverse effects of activities on outstanding natural features and landscapes, and</u></p> <p><u>(bc) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on <u>all other</u> natural features and landscapes.</u></p> <p><u>Note</u> <u>Method M24(a) applies to clause (a).</u></p>	<p>outstanding natural features and landscapes in the Region in required in order to give effect to the RPS and the NZCPS.</p>	<p>Undertake an assessment to identify the outstanding natural features and landscapes in the Region and include them in the Proposed Plan, along with appropriate policies, rules and other methods.</p>
<p>52. Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes S279/110</p>		
<p>Accepted in part. Policy P49 was deleted.</p>	<p>An assessment to identify the outstanding natural features and landscapes in the Region in required in order to give effect to the RPS and the NZCPS.</p>	<p>As submitted. An assessment should be undertaken to identify sites considered to be outstanding natural features and landscapes (including the areas within the coastal environment near existing mapped ONF and ONL where activities may affect those landscapes and features) and to develop a suite of objectives and policies to appropriately manage activities in these areas.</p>
<p>53. Policy P63 Improving water quality for contact recreation and Maori customary use S279/114</p>		
<p>Accepted in part. Policy P63 was amended as follows:</p> <p>The <u>water</u> quality of <u>fresh</u> water bodies <u>and coastal water identified as priorities for improvement for contact recreation and Māori customary use in Schedule H2 (priority water bodies)</u> shall be improved to meet, over time and as a</p>	<p>A timeframe to achieve the outcomes is necessary to provide certainty to the community and resource users, and to be consistent with the NPS-FM.</p>	<p>As submitted. Amend policy P63 to ensure that the water quality of all water bodies is improved over time to ensure they are suitable for primary contact recreation, mahinga kai and Māori customary use.</p>

<p>minimum, the objectives in Table 3.1, 3.2 and 3.3, including by:</p> <p>(a) improving water quality in all first priority <u>for improvement</u> water bodies for secondary contact with water <u>listed</u> in Schedule H2 (priority water bodies) in accordance with Method M27, and (b) Stormwater Management Strategies having particular regard to improving water quality in fresh water bodies and coastal water identified in Schedule H2 (priority water bodies) that are adversely affected by discharges from stormwater networks, and</p> <p>(cb) having particular regard to improving water quality in fresh water bodies and <u>areas of</u> coastal water identified in <u>Schedule H2 (priority water bodies) that where contact recreation and/or Māori customary use</u> are adversely affected by discharges from <u>stormwater from a port, airport or state highway</u>, wastewater networks or and wastewater treatment plants.</p> <p>The note was deleted.</p>		<p>Amend the policy to include a timeframe for achieving the outcomes, which should be no later than 2030.</p>
<p>54. Policy P71 – Quality of point source discharge to rivers FS74/194, 195, 196</p>		
<p>Accepted in part and/or rejected.</p> <p>Policy P71 was originally focussed on managing localised effects of point source discharges but has now been amended to refer to the freshwater objectives.</p>	<p>The change to the policy means that there is now no policy in the plan addressing localised effects of point source discharges. These localised effects are not necessarily tied to the wider river outcomes, and deal with matters such as maximum temp change, etc.</p>	<p>As further submitted.</p> <p>The policy should be returned to the notified approach with additional amendments to ensure the attributes and change levels are appropriate.</p>
<p>55. Policy P65: Minimising effects of nutrient discharges S279/117</p>		
<p>Rejected.</p> <p>Policy P65 was amended as follows:</p> <p>Minimising effects of <u>rural land use activities</u> nutrient discharges</p> <p>The <u>adverse effects of rural land use activities, including any associated discharge nutrient discharges</u> from agricultural activities that may enter water, shall be minimised through the use of <u>regulatory and non-regulatory methods including:</u></p>	<p>This policy, and other provisions in the Plan, do not provide certainty as to the effective management of diffuse discharges from farming activities. The Plan is unclear on how diffuse discharges from livestock are to be managed, including from</p>	<p>As submitted.</p> <p>Amend the Plan to put in place a management regime that will ensure that the objectives and limits in the Proposed Plan will be achieved in a manner that is consistent with sustainable management, and gives effect to the NPSFM and the RPS. The management regime should include</p>

<p><u>(a) rules and methods in the Plan, and</u> <u>(ab) good management practices, and</u> <u>(bc) information gathering, monitoring, assessment and reporting, and</u> <u>(ed) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and</u> <u>(d) regulatory and non-regulatory methods, and</u> <u>(e) plan changes or variations resulting from catchment-specific recommendations from the whitua committee process."</u></p>	<p>intensive (including irrigated) activities. The policies and rules of the Plan should be clear on how such land uses and associated discharges are to be managed in order to achieve the freshwater objectives within appropriate timeframes.</p>	<p>policies, rules and other methods that manage agricultural land use, associated discharges, and other discharges, either directly or indirectly, of contaminants to water (point source and non-point source). As a minimum outcome, the management regime should ensure that water quality is maintained at the level it was at the time the review of the Regional Plans was initiated.</p>
<p>56. Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai S279/122</p>		
<p>Accept in part. Policy P70 was amended as follows:</p> <p>Where an objective in Table 3.4, Table 3.5, Table 3.6, <u>Table 3.7</u> or Table 3.8 of Objective O25 is not met, point source discharges to water shall be managed in the following way:</p> <p>(a) for an existing <u>activity discharge</u> that contributes to the objective not being met, the discharge is only appropriate if:</p> <p>(i) the an application for a resource consent includes a defined programme of work for upgrading the <u>activity discharge</u>, in accordance with good management practice, within the term of the resource consent, and</p> <p>(ii) conditions on the resource consent require the reduction of adverse effects of the <u>activity discharge</u> in order to improve water quality in relation to the objective <u>within the term of the consent</u>, and</p> <p>(b) for a new <u>activity discharge, other than a wastewater discharge</u>, the discharge is <u>only appropriate</u> inappropriate if the <u>activity discharge</u> would <u>not</u> cause the affected fresh water body or area of coastal water to <u>become any worse decline</u> in relation to the objective.</p> <p>In assessing the appropriateness of a new <u>discharge</u> or existing discharge, the ability to offset residual adverse effects may be considered."</p>	<p>The policy does not direct the resolution of over-allocation and allows for new discharges in circumstances where a water body is already overallocated. This is inconsistent with the NPS-FM and achieving the purpose of the Act. Amend the policy to achieve the relief sought in the submission.</p>	<p>As submitted.</p> <p>Amend the policy and other provisions in the Plan to ensure that improvements to existing discharges is time-bound, that the improvements are meaningful and measurable, and that in water bodies where the objectives are not met, the discharge does not cause a further decline in water quality. The management of point source discharges of contaminants should be undertaken using the same system of accounting as the management of non-point source discharges.</p> <p>Clause (b) should be amended to refer to NPSFM terminology around allocation status, and should be amended to be clear that new discharges cannot cause water quality to degrade from the quality that exists and, where freshwater objectives are not met, the discharge is no allowed.</p>

		<p>Clarify the policy so that it does not apply to new point source discharges of wastewater or other contaminants that are culturally offensive to Maori and their customs and traditions.</p> <p>Delete the reference off-setting residual adverse effects."</p>
57. Policy P73: Minimising adverse effects of stormwater discharges S279/123		
<p>Rejected. Policy P73 was amended as follows:</p> <p>The adverse effects of stormwater discharges shall be minimised to the smallest amount reasonably practicable, including by: ..."</p>	<p>The management of stormwater discharges should be consistent with achieving the freshwater objectives, rather than a less specific outcomes such as 'minimised'.</p>	<p>As submitted. Amend the policy so that it requires outcomes for stormwater discharges consistent with the water quality objectives.</p> <p>The discharge of human sewage via stormwater discharges to water is not appropriate and should be resolved as soon as practicable and not later than by 2030.</p>
58. Policy P81: Minimising and improving wastewater discharges S279/239		
<p>Rejected. Policy P81 was retained as notified. Except for minor change to clause (a): (a) in the case of existing discharges to fresh water or coastal water from..."</p>	<p>The policy should provide clear direction as to outcomes.</p>	<p>As submitted.</p> <p>Amend the policy to ensure that:</p> <ul style="list-style-type: none"> - existing discharges meet freshwater limits and targets - adverse effects are avoided on sites of significance to mana whenua, nga taonga nui a kiwa and outstanding water bodies."
59. Policy P82: Mana whenua values and wastewater discharges S279/240		
<p>Rejected. Policy P82 was amended as follows:</p> <p>Reasonable steps shall be taken to reflect mMana whenua values and interests</p>	<p>The policy should provide clear direction as to outcomes.</p>	<p>As submitted</p> <p>Support Policy P82 with the following amendments:</p>

<p><u>shall be reflected</u> in the management of wastewater discharges <u>to fresh and coastal water and receiving waters</u>, including adverse effects on Māori customary use, <u>Ngā Taonga Nui a Kiwa, outstanding water bodies</u> and mahinga kai."</p>		<ul style="list-style-type: none"> - New discharges to apply to coastal water, including a 2030 timeframe - ensure existing discharges meet freshwater limits and targets <p>avoid adverse effects on sites of significance to mana whenua, nga taonga nui a kiwa and outstanding water bodies."</p>
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60. Policy P94: Discharge of collected animal effluent S279/128

<p>Rejected. Policy P94 was amended as follows:</p> <p>Any system to store, treat or dispose of discharge collected animal effluent <u>to land</u> shall be designed, constructed and maintained so that:</p> <p>(a) the collection, storage and distribution systems are sealed to <u>avoid prevent</u> discharge of effluent outside the intended disposal <u>discharge</u> area, and</p> <p>(b) the discharge is to land, and:</p> <p>(i) effluent is only discharged when the field capacity of the soil will not be exceeded, and</p> <p>—(ii)(i) effluent is discharged at a rate that can be absorbed and treated by the soil and plants, <u>without to minimise</u> ponding, <u>and prevent or</u> surface runoff and <u>without</u> directly discharge<u>ing</u> to groundwater or <u>to surface water</u> through tile drains, and</p> <p>(iii)(ii) sufficient storage is provided so that effluent can be stored when weather or soil conditions are unsuitable for irrigation, <u>in order to meet the conditions (b)(i) and (b)(ii) above</u>, and</p> <p>(iv) discharges do not pond or flow to any surface water, and</p> <p>—(v)(iii) discharges avoid adverse effects on <u>water quality including any</u> community drinking water supply. <u>protection areas shown on Map 26, Map 27a, Map 27b and Map 27c.</u>"</p>	<p>The discharge of collected animal effluent contributes to the achievement or otherwise of the freshwater objectives. Therefore, the Policy should include reference to contributing to meeting those objectives.</p>	<p>As submitted. Amend Policy P94 so that it is linked in terms of outcomes to other policies in the Proposed Plan. The consideration of discharges of collected animal effluent should extend to the contribution that discharges make to achieving freshwater outcomes and limits in the Plan, achieving outcomes for significant sites, including nga taonga nui a kiwa. There should be express reference in the policy to animal effluent being managed in an integrated manner with all other point and non-point source discharges from the farming activity</p>
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61. Policy P95: Discharges to land S279/129

<p>Accepted. Policy P95 was amended as follows:</p> <p>The discharge of contaminants to land shall be managed <u>to by:</u></p> <p>(a) ensuring the discharge does not result in more than minor <u>minimise</u> adverse effects <u>to on the life-supporting capacity of soil health, and</u></p> <p>(b) avoiding discharges that would not create creating contaminated land, and</p> <p>(c) not exceeding the <u>natural</u> capacity of the soil to treat, use or remove the contaminant, and</p> <p>(d) not exceeding the available capacity of the soil to absorb <u>and infiltrate</u> the discharge, and</p> <p>(e) <u>minimising avoid significant adverse</u> effects on public health and amenity, and</p> <p>(f) not resulting in a discharge <u>that enters</u> to water <u>that causes more than a minor adverse effects.</u>"</p>	<p>Because this is a land-based policy, there should be consideration of effects on sites of significance to Māori, including land-based sites such as waahi tapu. Amend the policy to include that adverse effects on sites of significance to mana whenua and other identified culturally significant sites should be avoided.</p>	<p>As submitted. Amend Policy P95 and associated rules to ensure that discharges to land will not occur on sites of significance to mana whenua unless the adverse effects on the values of those sites are avoided.</p>
<p>62. Policy P111: Water takes at minimum flows and water levels S279/142</p>		
<p>Reject. Policy P111 was amended as follows:</p> <p>Water takes at <u>minimum</u> flows and minimum water levels</p> <p>The take and use of water shall not occur when flows or water levels fall below <u>minimum</u> flows or minimum water levels in the whitua chapters (chapters 7-11), with the exception that water is available below minimum flows <u>or minimum water levels:</u></p> <p>(a) for firefighting, an individual's reasonable domestic needs and the reasonable needs of a n individual's person's animals for drinking water as provided for by section 14(3)(b) and 14(3)(e) of the Resource Management Act 1991, or</p> <p>(b) for the take and use of water permitted by rules in the Plan, or</p> <p>(c) as authorised by resource consents <u>for the following purposes:</u></p> <p><u>(i) the health needs of people as part of group drinking water supply or community drinking water supply, and</u></p> <p><u>(ii) the water used by industry from a community drinking water supply for a period of seven years from the date 31 July 2015, and</u></p> <p><u>(iii) water races for the purpose of supplying water for the health needs of</u></p>	<p>The policy allows for takes below the minimum flow (which is a limit). This is inconsistent with giving effect to the NPS-FM and risks allowing further over-allocation in the period before the NPS-FM is fully given effect. The policy should be amended to not allow takes below minimum flows and/or establish a secondary minimum flow limit to provide for essential takes. Consequential changes should be made to associated rules.</p>	<p>As submitted. Amend the policy and associated rules so that it does not provide for takes below water quantity limits established in the Plan.</p> <p>The policy should be amended to not allow takes below minimum flows and/or establish a secondary minimum flow limit to provide for essential takes. Consequential changes should be made to associated rules.</p>

<p><u>people and animal drinking water, and</u> <u>(iv) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of an existing resource consent, for the sole purpose of avoiding their death provided:</u> <u>• the water shall only be available five days (120 hours) after minimum flow or minimum water level cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</u> <u>• the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and</u> <u>(v) Category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows or minimum water levels, and</u> <u>(vi) Category B groundwater and Category C groundwater in accordance with Table 4.1."</u></p>		
63. Policy P117: Supplementary allocation amounts at flows above the median flow S279/148		
<p>Reject. Policy P117 was amended as follows:</p> <p>In addition to core allocation, <u>supplementary allocation water</u> is available <u>from rivers at flows</u> above median flow <u>in the following amounts:</u> <u>(a) for rivers (and their tributaries) listed in Table 1 of Schedule V with mean flows of greater than 5m³/sec, up to 50% of the portion of flow in the river above the median flow at the point of abstraction, or</u> <u>(b) for rivers (and their tributaries) listed in Table 2 of Schedule V with mean flows of less than or equal to 5m³/sec, up to 10% of the total amount of flow in the river at the point of abstraction, or</u> <u>(c) for rivers and their tributaries not listed in either Table 1 or 2 of Schedule V up to 10% of the total amount of flow in the river at the point of abstraction provided flushing flows and a portion of flow above the median flow remains in the river to meet Objective O25."</u></p>	<p>It is not clear how taking up to 50% of flows above median flow for specific rivers is consistent with achieving the objectives of the Plan. The amount of supplementary take for those rivers should be reduced to a more precautionary level, or a framework described to allow appropriate supplementary allocation to be determined on a case-by-case basis.</p>	<p>Amend the policy and associated rules so that it prescribes a supplementary take regime that is consistent with achieving the objectives, including providing for safeguarding life-supporting capacity, safeguarding mahinga-kai, preserving natural character, and providing for natural processes, including ecosystem processes, are achieved. Maintaining variable flows within rivers is also important for sustaining mauri.</p>
64. Policy P129: Minimum flows and water levels S279/155		
<p>Reject. Policy P129 was amended as follows:</p>	<p>This policy appears to support damming all water in a river</p>	<p>As submitted. Amend the Policy P129 and associated</p>

<p>Minimum flows and <u>minimum</u> water levels The damming or diversion of water from a surface water body shall not reduce flows or water levels below minimum flows or <u>minimum</u> water levels identified in the whitua chapters of the Plan (chapters 7-11)."</p>	<p>except for the minimum flow. That will have a potentially significant adverse effect on river values. The policy should be amended to provide certainty as to how it is to be applied and to ensure that any changes to flow meet the objectives and policies relating to life-supporting capacity, flow variability, etc</p>	<p>rules to provide a cross reference to other policies in the plan that require flow variability, natural processes and natural character to be provided for</p>
<p>65. Policy P138: Structures in sites with significant values S279/160</p>		
<p>Reject. Policy P138 was amended as follows: New structures, replacement of a structure or any addition or alteration to a structure <u>in the coastal marine area</u> in a site... ... (e) there are no practicable alternative <u>locations or</u> methods of providing for the activity."</p>	<p>This policy appears to prioritise regional significant infrastructure over the values of sites of significance, which is not the case. The policy should be amended to ensure that where development does occur in significant sites, that the adverse effects on the site are avoided.</p>	<p>As submitted. Amend Policy P138 and associated rules to add an additional qualifier for (d) that adverse effects on the sites listed in the first sentence of the policy must be avoided.</p>
<p>66. Rule R42: Minor discharges - permitted activity S279/165</p>		
<p>Accepted in part. Clause (b)(i) of Rule R42 has been amended as follows: (b)(c) where the discharge <u>may</u> enter a surface water body or coastal water, <u>(i)</u> the concentration of total suspended solids in the discharge shall not exceed: —(i) 1. 50g/m3 where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), <u>Schedule C (mana whenua)</u>, Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites) or <u>Schedule H1 (contact recreation), except when the background total</u></p>	<p>Schedule C and H1 have been added as requested, but the remainder (B, F1b, F1c, F2a, F2b, F2c and F5) have not. The permitted activity standard for total suspended solids has not been amended from what was notified. " This rule potentially authorises</p>	<p>As submitted. Amend Rule R42(b)(i) to include reference to the following additional sites of significance: Schedule B, C, F1b, F1c, F2a, F2b, F2c, F5, H. Amend "zone of reasonable mixing" throughout the plan to ensure that the zone does not extent into sites of significance as identified in Schedules C</p>

<p><u>suspended solids concentration in the receiving water is greater than 50g/m3 in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or ..."</u></p>	<p>the non-point discharge from farm animals, which is known to contribute commutatively to significant adverse effects on groundwater and surface water bodies. Permitting such discharges is not consistent with s70 RMA. If the intention is for this rule to cover discharges from farming activities (stock), then it should be amended to be clear that is the case and the activity status of the rule changed to at least restricted discretionary where it is not clear that the s70 RMA requirements can be met.</p>	<p>and H. The permitted activity standard for total suspended solids should be reduced to no greater than 20g/m3."</p> <p>If the rule is intended to permit discharges from the farming of animals, it should be amended so that it is clear that the requirements of s70 can be satisfied, or the activity status of the rules should be changed to require resource consent for such discharges.</p>
<p>67. Rule R80: Discharge of treated wastewater - restricted discretionary activity S279/259</p>		
<p>Accept in part. Rule R80 was amended as follows:</p> <p>Discharge of treated wastewater from a wastewater network – restricted discretionary activity</p> <p>The discharge of treated wastewater <u>from a wastewater network</u> onto or into land, <u>or onto or into land where a contaminant may enter water</u>, and the associated discharge of odour <u>to air that does not meet the conditions of Rule R79</u> is a restricted discretionary activity. <u>provided the following conditions are met:</u> ...</p> <p>Clauses (a), (b), (c) and (d) were deleted.</p> <p>Matters for discretion</p> <p>1. Effects on <u>groundwater and surface water quality</u>, including community drinking water supply water quality</p> <p>...</p>	<p>This could be interpreted as applying to discharge into a constructed wetland that forms part of the treatment system and then into a river. A constructed wetland only provides for a small amount of the discharge to be via land, with the majority discharging to water. Such a proposal should be dealt with as a discharge to water to ensure the full range of potential effects can be considered. The rule should be amended to ensure that discharges to constructed wetlands are not considered to be discharges to</p>	<p>As submitted.</p> <p>Amend Rule R80 to include as matters of control and discretion:</p> <ul style="list-style-type: none"> - The effects of the discharge, including cumulative effects, on meeting the freshwater objectives and limits in the Plan; - The effects of the discharge of sites listed in Schedules A to F and H; and - The effects on the cultural and spiritual values of mana whenua. <p>Clarify that mana whenua will be considered as potentially affected parties."</p> <p>Amend the rule to provide clarity that discharge to a constructed wetland is</p>

<p>5. <u>Wastewater discharge method, hydraulic loading rate, discharge depth and hydraulic conductivity</u></p> <p>6. <u>Distribution uniformity</u></p> <p>...</p> <p>109. Measures to minimise spray drift <u>to prevent impacts on human or animal health, or offensive and objectionable odours beyond the boundary of the property</u></p> <p>110. Suitability of the soil to receive treated wastewater <u>and management of the land discharge area</u></p> <p>121. Design of the discharge system based on the soil characteristics</p> <p>13 Soil saturated hydraulic conductivity</p> <p>...</p> <p><u>18. Effects on mana whenua cultural values and sites of significance identified in Schedule A (outstanding water bodies), Schedule B (Nga Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity).</u></p> <p>The term 'application' was replaced with 'discharge'.</p> <p>Notification</p> <p>In respect of Rule R80, applications are precluded from public notification(unless special circumstances exist); except that the relevant iwi authority/iesas an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on ngā huanga o Ngā Taonga Nui a Kiwa or on the significant values of a Schedule C site which is located downstream..."</p>	<p>land.</p>	<p>not regarded as a discharge to land.</p>
<p>68. New Rule R140A: Take and use of water from a water storage facility – permitted activity</p>		
<p>New Rule 104A has been added.</p>	<p>Any 'use' of water associated with a storage take will only be for water storage. There should be clear direction either in the policies or in the rule that consideration must be given to the appropriate end use of water taken for storage.</p> <p>A definition of 'water storage facility' is necessary to make</p>	<p>Provide a definition of "water storage facility".</p> <p>Amend the rule, including the activity status, and associated objectives and policies to ensure clear direction either in the policies or in the rule that consideration must be given to the appropriate end use of water taken for storage, include the consequential effects from the use of that water.</p>

	the effect and scope of this rule certain.	
69. Rule R.R1: Take and use of water in the Ruamahanga Whaitua - restricted discretionary activity S279/217		
<p>Reject.</p> <p>Rule R.R1 was amended as follows:</p> <p>The take and use of water from any river (including tributaries), Lake Wairarapa (including tributaries), and groundwater in the Ruamāhanga River catchment above the Lake Wairarapa outflow, and in the Lake Wairarapa catchment, <u>that is not provided for in Rules R136, R137, R138, R139, R140, R140A, or R141</u> is a restricted discretionary activity provided the following conditions are met:</p> <p>(a) the take and use shall not occur below the minimum flows or minimum water levels in Table 7.1 or 7.2, except that this condition does not apply to:</p> <p>...</p> <p><u>(iv) water races for the purpose of supplying water for the health needs of people and animal drinking water, and</u></p> <p>(c) at flows above median flow:</p> <p>(i) the frequency of flushing flows that exceed three times the median flow of the river is not changed, and</p> <p>(ii) <u>no more than 50% of the river flow above the median flow remains in the river is taken for rivers with mean flows greater than 5m³/sec, or</u></p> <p>(iii) <u>no more than 10% of the total river flow is taken for rivers with mean flows of less than or equal to 5m³/sec.</u></p> <p>Matters for discretion</p> <p>...</p> <p>4. Reduction in the rate of take from surface water <u>and groundwater directly connected to surface water Category A groundwater and Category B groundwater</u> at times of low flow and restrictions when rivers approach or fall below the minimum flows <u>or water level</u>, including the guideline for stepdown allocation and flows in Schedule R (stepdown guideline)</p> <p>...</p> <p>8. For a take and use <u>from groundwater, the degree of connectivity and category according to Table 4.1 in category B groundwater (directly connected) or category B groundwater (not directly connected)"</u></p>	<p>The exclusion in (a) should not be uncontrolled and should be managed through a permitted activity rule that limits the amount of water taken. Failing to do so risks the Plan not achieving the freshwater objectives because it may allow for over-allocation.</p> <p>(b) allows for an increase in actual take and use, which is contrary to the NPS-FM if there is existing over-allocation. This additional take comes about because the maximum available is based on the 'maximum amount allocated by existing consents' rather than the maximum amount taken and used by existing consents.</p>	<p>As submitted.</p> <p>Amend by excluding unused water, or simply referring to the consented amount actually taken and used.</p> <p>The rule should be amended to ensure that it does not allow for over-allocation of fresh water. This should include amending the conditions to make it a requirement that consent cannot be sought in situations where freshwater limits will be exceeded.</p>