Policies

4.1 Ki uta ki tai and integrated catchment management

Policy P1: Ki uta ki tai and integrated catchment management

COASTAL

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

(a) decision-making using the catchment as the spatial unit, and

(b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and

(c) coordinated management, with decisions based on best available information and improvements in technology and science,[1] and

(d) taking into account the connected nature of resources and **natural processes** within a catchment, and

(e) recognising links between environmental, social, cultural and economic sustainability of the catchment.

Policy P2: Cross-boundary matters

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

Policy P3: Precautionary approach

Use and development shall be managed with a precautionary approach where there is limited information regarding the ~~receiving environment and the~~ effects and any adverse effects are potentially significant ~~effects the activitiy may have on the environment~~.[2]

Policy P4: Minimising adverse effects

Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include:

(a) consideration of alternative locations and methods for undertaking the activity that would have less adverse affects, and

(b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and

(c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and

(d) using **good management practices** for reducing the adverse effects of the activity, and

(e) designing the activity so that the scale or footprint of the activity is as small as practicable.

Policy P5: Review of existing consents

The conditions of **existing resource consents** to discharge contaminants to fresh water or coastal water, and to take and use water, may be reviewed

[1] s42A report: Overall policy framework of the proposed Plan – Part B, Issue 4.2
[2] s42A report: Overall policy framework of the proposed Plan – Part B, Issue 4.4

pursuant to section 128 of the Resource Management Act 1991 in respect of future changes to the Plan.

Policy P6: Synchronised expiry and review dates

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

(a) the affected resource is fully allocated or over-allocated, or

(b) the exercise of the resource consent may impede the ability to implement an integrated approach~~solution~~[3] to manage water quality, quantity or habitat within that **whaitua** or **sub catchment.**

4.2 Beneficial use and development

Policy P7: Uses of land and water

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

(a) aquaculture, and

(b) treatment, dilution and disposal of **wastewater** and **stormwater**, and

(c) industrial processes and commercial uses associated with the potable water supply network, and

(d) community and domestic water supply, and

(e) electricity generation, and

(f) food production and harvesting, and

(g) gravel extraction from rivers for flood protection and control purposes, and

(h) irrigation and stock water, and

(i) firefighting, and

(j) contact recreation and **Māori customary use**, and

(k) transport along, and access to, water bodies, and[4]

(l) quarrying, and ~~hard rock quarries~~[5]

(m) plantation forestry[6]

shall be recognised.

[3] s42A report: Overall policy framework of the proposed Plan – Part B, Issue 4.6
[4] s42A report: Beneficial use and development, Issue 1.3
[5] RoR report: Beneficial use and development
[6] RoR report: Beneficial use and development

Policy P8: Beneficial activities

The following activities are recognised as beneficial and generally appropriate:

(a) activities for the purpose of restoring natural character, **aquatic ecosystem health**, **mahinga kai**, outstanding water bodies, sites with significant **mana whenua** values, and sites with significant indigenous biodiversity values, and

(b) activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and

(c) day-lighting of piped streams, and

(d) removal of aquatic weeds~~, and~~ pest plants and animal pests[7], and

(e) the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular **livestock** access from a water body, and

(f) the retirement, fencing and planting and management[8] of riparian margins, and

(g) the retirement of **erosion prone land** from **livestock** access, and

(h) maintenance~~,~~ and use ~~and upgrade~~[9][10] of existing structures in the coastal marine area, **natural wetlands** and the beds of rivers and lakes, and

(i) removal of dangerous or derelict structures in the coastal marine area, **natural wetlands** and beds of lakes and rivers, and

(j) structures necessary to provide for monitoring resource use or the state of the environment in the coastal marine area, **natural wetlands** and beds of lakes and rivers, and

(k) activities necessary to maintain safe navigation, and

(l) artworks that support and enhance public open space.

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

Maintain and enhance ~~Reduction in~~[11] the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers ~~shall be avoided~~ [12]except where it is necessary to:

(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant

[7] s42A report: Beneficial use and development. Issue 2.2
[8] s42A report: Beneficial use and development, Issue 2.2
[9] RoR report: Beneficial use and development
[10] s42A report: Beneficial use and development, Issue 2.2
[11] s42A report: Beneficial use and development. Issue 3.2
[12] s42A report: Beneficial use and development. Issue 3.2

historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or

(b) protect public health and safety, or

(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and

with respect to (a)~~,~~ and (b) ~~and (c)~~,[13] where it is necessary to permanently restrict or remove existing public access, the loss of public access shall be mitigated or **offset** by providing enhanced public access at a similar or nearby location.

Policy P10: Contact recreation and Māori customary use

The management of natural resources shall have particular regard to the actual and potential adverse effects on contact recreation and **Māori customary use** in fresh and coastal water, including by:

(a) providing water quality and, in rivers, flows suitable for the community's objectives for contact recreation and **Māori customary use**, and

(b) managing activities to maintain or enhance contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and

(c) encouraging improved access to suitable swimming locations, and

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

Policy P11: In-stream water storage

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

(a) there are significant social and economic benefits for the region, and

(b) water remains available for multiple in-stream and out of stream uses concurrently, and

(c) the reliability of water supply improves as a result, and

(d) the damming and storage of water contributes to the **efficient allocation** and use of water.

[13] s42a report: Beneficial use and development, Issue 3.2

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

COASTAL

The benefits of **regionally significant infrastructure** and **renewable energy generation activities** are recognised by having regard to:

(a) the strategic integration of infrastructure and land use, and

(b) the location of existing infrastructure and structures, and

(c) the need for **renewable energy generation activities** to locate where the renewable energy resources exist, and

(d) the **functional need** for port activities to be located within the coastal marine area, and

(e) **operational requirements** associated with developing, operating, maintaining and upgrading **regionally significant infrastructure** and **renewable energy generation activities**.

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

COASTAL

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

Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities

COASTAL

Regionally significant infrastructure and **renewable energy generation activities** shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any **reverse sensitivity** effects.

Policy P15: Flood protection activities

COASTAL

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

Policy P16: New flood protection and erosion control

COASTAL

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

4.3 Māori relationships

Policy P17: Mauri

COASTAL

The **mauri** of fresh and coastal waters shall be recognised as being important to Māori by:

(a) managing the individual and cumulative adverse[14] effects of activities that may impact on **mauri** in the manner set out in the rest of the Plan, and

(b) providing for activities that sustain and enhance **mauri**, and

(c) recognising the role of kaitiaki in sustaining **mauri**.

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

COASTAL

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

(a) having particular regard to the values and **Ngā Taonga Nui a Kiwa huanga** identified in Schedule B (Ngā Taonga Nui a Kiwa) when applying for, and making decisions on resource consent applications, and developing Whaitua Implementation Programmes, and

(b) ~~(c)~~ informing iwi authorities of relevant resource consents relating to **Ngā Taonga Nui a Kiwa**, and

(c) recognising the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on ngā huanga o Ngā Taonga Nui a Kiwa or on the significant values of a Schedule C site which is located downstream, and

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

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

~~*Note*~~

~~The **whaitua** committees will take all reasonable steps to reflect the **mana whenua** values and interests for **Ngā Taonga Nui a Kiwa** in the development of **Whaitua Implementation Programmes**.~~[15]

Policy P19: Māori values

COASTAL

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

Policy P20: Exercise of kaitiakitanga

COASTAL

Kaitiakitanga shall be recognised and provided for by:

(a) managing activities~~natural and physical resources~~[16] in sites with significant **mana whenua** values listed in Schedule C (mana whenua)

[14] s42A report : Overall policy framework of the proposed Plan – Part B, Issue 5.2
[15] ROR: Areas and sites with significant mana whenua values. Section 4 (addresses all changes to Policy P18)

in accordance with **tikanga** and **kaupapa Māori** as exercised by **mana whenua**, and

(b) the identification and inclusion of **mana whenua** attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and

(c) identification of **mana whenua** values and attributes and their application through **tikanga** and **kaupapa Māori** in the maintenance and enhancement of **mana whenua** relationships with **Ngā Taonga Nui a Kiwa**.

Policy P21: Statutory acknowledgements

Wellington Regional Council will:

(a) include any relevant statutory acknowledgments in Schedule D (statutory acknowledgements) for public information, and

(b) have regard to any relevant statutory acknowledgment in Schedule D (statutory acknowledgements) when processing resource consent applications.

4.4 Natural form and function

4.4.1 Estuaries and harbours

Policy P22: Ecosystem values of estuaries

Significant adverse effects on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as a nursery for important fish stocks, shall be avoided.

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

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

(a) managing activities to reduce sedimentation rates and pollutant inputs, and

(b) managing erosion-prone land and riparian margins in their catchments, and

(c) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.

[16] s42A report : Overall policy framework of the proposed Plan – Part B, Issue 5.3.

4.4.2 Natural character

Policy P24: Outstanding natural character

COASTAL

Areas of outstanding natural character in the coastal marine area will be preserved by:

(a) avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and

(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and

(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and

(d) maintaining the high levels of naturalness of these areas, and

(e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.

Policy P25: Natural character

COASTAL

Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and ~~in the beds~~ of **natural wetlands,** lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:

(a) the extent of human-made changes to landforms, vegetation, biophysical elements, **natural processes** and patterns, and the movement of water, and

(b) the presence or absence of structures and buildings, and

(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and

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

(i) ~~using an alternative location, or form of development that would be more appropriate to that location, and~~

(ii) ~~considering the extent to which **functional need** or existing use limits location and development options~~.

(d) alternative locations, design or form of development that have less adverse effects, and

(e) the extent to which the activity has a functional need to be located in the coastal marine area that limits location and development options, and

(f) the ecosystems, natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in **natural wetlands**, rivers and lake and their margins.[17]

4.4.3 Natural processes

Policy P26: Natural processes

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

4.5a Natural hazards

Policy P27: High hazard areas

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

(a) they have a **functional need** or **operational requirement** or there is no practicable alternative to be so located, and

(b) the **risk** to the development and/or **residual risk** after hazard mitigation measures, assessed using a **risk-based approach**, is low, and

(c) the development does not cause or exacerbate natural hazards in other areas, and

(d) interference with **natural processes** (coastal, fluvial and lacustrine processes) is minimised, and

(e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise, are taken into account.

Policy P28: Hazard mitigation measures

Hard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable **risk**, assessed using the **risk-based approach**, and the works either form part of a **hazard management strategy** or the environmental effects are considered to be no more than minor.

Policy P29: Climate change

Particular regard shall be given to the potential for climate change to cause or exacerbate natural hazard events that could adversely affect use and development including:

(a) coastal erosion and inundation (**storm surge**), and

[17] S42A: Natural form and function – Issue 4

(b) river and lake flooding and erosion or aggradation, and

(c) **stormwater** ponding and impeded drainage, and

(d) sea level rise, using the best available guidance for the Wellington Region.

Policy P30: Natural buffers

COASTAL

The adverse effects of use and development on natural features such as beaches, dunes or wetlands that buffer development from natural hazards shall be minimised.

4.5 Biodiversity, aquatic ecosystem health and mahinga kai

Policy P31: Aquatic ecosystem health and mahinga kai

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

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

(b) minimise adverse effects on 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 coastal habitats, and

(c) minimise adverse effects on habitats that are important to the life cycle and survival of aquatic species, and

(d) minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and

(e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and

(f) minimise adverse effects on riparian habitats and restore them where practicable, and

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

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

Significant adverse effects on **aquatic ecosystem health** and **mahinga kai** shall be managed by:

(a) avoiding significant adverse effects, and

(b) where significant adverse effects cannot be avoided, remedying them and

(c) where significant adverse effects cannot be remedied, mitigating them, and

(d) where **residual adverse effects** remain, it is appropriate to consider the use of **biodiversity offsets**.

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

Policy P33: Protecting indigenous fish habitat

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

(a) discharges of contaminants, including sediment, and

(b) disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and

(c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.

Policy P34: Fish passage

The construction or creation of new barriers to the passage of fish and koura species shall be avoided.

Policy P35: Restoring fish passage

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.

Policy P36: Effects on indigenous bird habitat

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

Policy P37: Values of wetlands

Activities in and adjacent to **natural wetlands** shall be managed to maintain their values including:

(a) as habitat for indigenous flora and fauna, and

(b) for their significance to **mana whenua**, and

(c) for their role in the hydrological cycle including flood protection, and

(d) for nutrient attenuation, and

(e) as a fisheries resource, and

(f) for recreation.

Policy P38: Restoration of wetlands

The **restoration** of **natural wetlands** and the construction of artificial wetlands to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of **natural wetlands**, shall be encouraged.

4.6 Sites with significant values

4.6.1 Outstanding water bodies

Policy P39: Adverse effects on outstanding water bodies

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

4.6.2 Sites with significant indigenous biodiversity value

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values

COASTAL

Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:

(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and

(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and

(c) **significant natural wetlands**, including the **significant natural wetlands** identified in Schedule F3 (significant wetlands), and

(d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).

Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values

COASTAL

In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities, other than activities carried out in accordance with a **restoration management plan**, shall avoid these ecosystems and habitats.

If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by:

(a) avoiding more than minor adverse effects, and

(b) where more than minor adverse effects cannot be avoided, remedying them, and

(c) where more than minor adverse effects cannot be remedied, mitigating them, and

(d) where **residual adverse effects** remain it is appropriate to consider the use of **biodiversity offsets**.

Proposals for mitigation and **biodiversity offsets** 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.

Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through **biodiversity offsets**, the activity is inappropriate.

Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values

In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to:

(a) maintain ecological connections within and between these habitats, or

(b) provide for the enhancement of ecological connectivity between fragmented habitats through **biodiversity offsets**, and

(c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and

(d) avoid cumulative adverse effects on, and the incremental loss of the values of these ecosystems and habitats.

Policy P43: Restoration and management plans

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

4.6.3 Sites with significant mana whenua values

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

Sites with significant **mana whenua** values identified in Schedule C (mana whenua) shall be protected and/~~or~~ restored by:

(a) working to increase landowner and community understanding of significant values within Schedule C sites, and

(b) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement restoration programmes for Schedule C sites, and

(c) the Wellington Regional Council and iwi authorities implementing **kaupapa Maori** monitoring of Schedule C sites.[18]

[18] ROR: Areas and sites with significant mana whenua values. Section 6 (Addresses all changes to Policy P44)

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

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

If the site cannot be avoided, more than minor adverse effects on the significant **mana whenua** values must be evaluated through a **cultural impact assessment** undertaken by the relevant iwi authority or iwi authorities.

Significant adverse effects on the significant values of the site shall be avoided. Other[19] ~~The~~ adverse effects of activities shall be managed in accordance with **tikanga** and **kaupapa Māori** as recommended in the **cultural impact assessment** by:

(a) avoiding more than minor adverse effects, and

(b) where more than minor adverse effects cannot be avoided, remedying them, and

(c) where more than minor adverse effects cannot be remedied, mitigating them~~, and~~

(d) ~~receiving written consent of the iwi authority~~.[20]

Where more than minor adverse effects on significant **mana whenua** values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant **mana whenua** values is inappropriate.

The relevant iwi authority/ies shall be considered to be an affected party under RMA s95E for all activities which require resource consent within a Schedule C site where the adverse effects are minor or more than minor.[20]

4.6.4 Sites with significant historic heritage value

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

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

(a) significant historic heritage values are not lost, damaged or destroyed, and

(b) effects are of a low magnitude or scale, or effects are reversible, and

[19] ROR: Areas and sites with significant mana whenua values. Issue 7
[20] ROR: Areas and sites with significant mana whenua values. Issue 9

(c) interconnections and linkages between sites are not significantly altered or lost, and

(d) previous damage to significant historic heritage values is remedied or mitigated where relevant, and

(e) previous changes that have significant historic heritage value in their own right are respected and retained, and

(f) adjacent significant historic heritage values are unlikely to be adversely affected, and

(g) unique or special materials and/or craftsmanship are retained, and

(h) the activities do not lead to cumulative adverse effects on historic heritage.

Policy P47: Appropriate demolition

Demolition or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where the structure:

(a) is substantially damaged by fire or natural hazard, and/or

(b) poses a significant risk to human safety, and

(c) it is not reasonably practicable to repair it.

Note

Applications for demolition should consider any relevant matters of Policy P46.

4.6.5 Natural features and landscapes and special amenity landscapes

Policy P48: Protection of outstanding natural features and landscapes

The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and **natural wetlands** shall be protected from inappropriate use and development by:

(a) avoiding adverse effects of activities on outstanding natural features and landscapes, and

(b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.

Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes

Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by:

(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and

(b) avoiding adverse cumulative effects on the ~~values~~ characteristics and qualities[21] of an outstanding natural feature or landscape.

Policy P50: Significant geological features

The significant adverse effects of use and development on the significant geological features identified in Schedule J (geological features) shall be avoided.

Policy P51: Significant surf breaks

Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by minimising the adverse effects on:

(a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and

(b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.

4.7 Air quality

Policy P52: Managing ambient air quality

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

(a) maintaining the acceptable category or better identified in Schedule L1 (ambient air) for the specific contaminants, and

(b) improving unacceptable or poor ambient air quality to at least the acceptable category or better identified in Schedule L1 (ambient air), and

(c) managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised.

Policy P53: Domestic fires

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

[21] S42A: Natural form and function – Issue 10

Policy P54: Open fires

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

Policy P55: Managing air amenity

Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and dust[22], particulate matter, fumes, ash and visible emissions.

Policy P56: Outdoor burning

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

Policy P57: Burning of specified materials

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

Policy P58: Industrial discharges

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

Policy P59: Industrial point source discharges

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

Policy P60: Agrichemicals and fumigants

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

Policy P61: National Environmental Standard for Air Quality

When considering a resource consent application for a discharge into air in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25), the Wellington Regional Council shall give effect to the National Environmental Standard for Air Quality by allowing the offsetting of new discharges of PM_{10} if the ground level concentrations exceed 2.5µg of PM_{10}/m^3 of air. The offsets shall be:

(a) for new discharges into air or when discharges from existing consented activities increase, and

(b) calculated on an annual mass emissions basis and be offset on a one to one annual mass emissions basis, and

[22] RoR report: Air quality management

(c) calculated as close as practicable to where the effect of the discharge occurs, and

(d) for the duration of the consent, and

(e) treated as having the same health effects irrespective of the source of the PM_{10}, and

(f) required in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25) until the airshed achieves five years without any breach of the National Environmental Standard for Air Quality for PM_{10}, and

(g) only for a **point source discharge** and will not consider fugitive emissions, and

(h) only for PM_{10}.

Note

For the purposes of this policy offsetting has the same meaning as in the National Environmental Standard for Air Quality for PM_{10}.

4.8 Discharges to land and water

4.8.1 Land and water

Policy P62: Promoting discharges to land

The discharge of contaminants to land is promoted over direct discharges to water, particularly where there are adverse effects on:

(a) **aquatic ecosystem health** and **mahinga kai**, or

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

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

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

(a) improving water quality in all first priority water bodies for secondary contact with water 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

(c) 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 **wastewater networks** and **wastewater** treatment plants.

Note

Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their **whaitua**. These may be incorporated into the Plan by a future plan change or variation.

Policy P64: Mixing waters

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

Policy P65: Minimising effects of nutrient discharges

The effects of nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:

(a) **good management practices**, and

(b) information gathering, monitoring, assessment and reporting, and

(c) integrated catchment management within the Wellington Regional Council and with the involvement of **mana whenua**, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and

(d) regulatory and non-regulatory methods, and

(e) plan changes or variations resulting from catchment-specific recommendations from the **whaitua** committee process.

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

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

(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water, and

(b) the extent to which it is feasible and dependable that any more than minor adverse effects on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided, and

(c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water, and

(d) the extent to which it is feasible and dependable that any more than minor adverse effects on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.

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

(e) a new discharge, or

(f) a change or increase in any discharge

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

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

4.8.2 Discharges to water

Policy P67: Minimising effects of discharges

The adverse effects of discharges of contaminants to land and water will be minimised by:

(a) avoiding the production of the contaminant, and/or

(b) reusing, recovering or recycling the contaminant, and/or

(c) minimising the volume or amount of the discharge, and/or

(d) using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge where appropriate, and

(e) irrespective of actions taken in accordance (a) to (d) above, where a discharge is a **point source discharge** to a river or stream, the discharge achieves the water quality standards in Policy P71 after reasonable mixing.

Policy P68: Inappropriate discharges to water

Discharges to fresh and coastal water of:

(a) untreated **wastewater**, except as a result of extreme weather-related overflows or **wastewater** system failures or from recreational boating activities, and

(b) **animal effluent** from an **animal effluent** storage facility or from an area where animals are confined, and

(c) untreated industrial or trade waste, and

(d) untreated organic waste or leachate from storage of organic material

shall be avoided.

Policy P69: Human drinking water supplies

The adverse effects from discharges to land and water on the quality of **community drinking water supplies** and **group drinking water supplies** shall be avoided to the extent practicable. Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:

(a) water quality in relation to determinands, including aesthetic determinands, at the water supply abstraction point, and

(b) the type and concentration of the contaminant(s) in the actual discharge, and

(c) soil type, in the case of discharges to land, and

(d) travel time and path of contaminants from source to water supply abstraction point, and

(e) treatment, design and maintenance, and

(f) the risk of accident or an unforeseen event causing significant adverse effects on water quality.

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

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

COASTAL

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

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

  (i) the application for resource consent includes a defined programme of work for upgrading the activity, in accordance with **good management practice**, within the term of the resource consent, and

  (ii) conditions on the resource consent require the reduction of adverse effects of the activity in order to improve water quality in relation to the objective within the term of the consent, and

(b) for a new activity, the discharge is only appropriate if the activity would not cause the affected fresh water body or area of coastal water to become any worse in relation to the objective.

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

Policy P71: Quality of discharges

The adverse effects of **point source discharges** to rivers shall be minimised by the use of measures that result in the discharge meeting the following water quality standards in the receiving water after the **zone of reasonable mixing**:

(a) below the discharge point compared to above the discharge point:

  (i) a decrease in the Quantitative Macroinvertebrate Community Index of no more than 20%, and

  (ii) a change in pH of no more than ±0.5, and

  (iii) a decrease in water clarity of no more than:

    1. 20% in **River class** 1, or

      33% in **River classes** 2 to 6, and

(iv) a change in temperature of no more than:

1. 2°C in **River classes** 1 or 2, or

2°C in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or

3°C in any other river, and

(b) a 7-day mean minimum dissolved oxygen concentration of no lower than 5mg/L, and

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

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

Policy P72: Zone of reasonable mixing

When a discharge to water requires resource consent, ~~Where not otherwise permitted by a rule,~~[23] the **zone of reasonable mixing** shall be minimised and will be determined on a case-by-case basis. In determining the **zone of reasonable mixing**, particular regard shall be given to:

(a) acute and chronic toxicity effects, and

(b) adverse effects on aquatic species migration, and

(c) efficient mixing of the discharge with the receiving waters, and

(d) avoiding a site with significant **mana whenua** values identified in Schedule C (mana whenua), and

(e) the identified values of that area of water, and

(f) avoiding significant adverse effects within the **zone of reasonable mixing**.

4.8.3 Stormwater

Policy P73: Minimising adverse effects of stormwater discharges

The adverse effects of **stormwater** discharges shall be minimised, including by:

(a) using good management practice, and

(b) taking a **source control** and treatment train approach to new activities and land uses, and

[23] S42A report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.1

(c) implementing **water sensitive urban design** in new subdivision and development, and

(d) progressively improving existing **stormwater**, **wastewater**, road and other public infrastructure, including during routine maintenance and upgrade.

Policy P74: First-stage local authority network consents

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

(a) managing the **stormwater network** on a comprehensive basis whereby discharges from local authority **stormwater** devices are aggregated on a catchment or **sub-catchment** basis and authorised via a single 'global' consent, and

(b) undertaking monitoring to identify the adverse quality and quantity effects of discharges from the **stormwater network** on:

(i) **aquatic ecosystem health** and **mahinga kai**, and

(ii) contact recreation and **Māori customary use**, and

(iii) the values of areas with identified outstanding or significant values identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F (indigenous biodiversity), and

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

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

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

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

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

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

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

Policy P75: Second-stage local authority network consents COASTAL

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

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

(b) where appropriate, developing catchment-specific **stormwater** management plans or other methods to identify and prioritise actions in accordance with any relevant objectives identified in the Plan, and

(c) progressively implementing the **stormwater management strategy** and any actions identified under (b), and

(d) employing land-based treatment of **stormwater**, in accordance with **good management practice** and Policy P73, from new **stormwater networks**, and

(e) progressively reducing the impact of untreated **wastewater** on fresh and coastal water in accordance with Policies P76 and P77, and

(f) progressively improving existing **stormwater**, **wastewater**, road and other public infrastructure, including through routine maintenance and upgrade.

Policy P76: Minimising wastewater and stormwater interactions COASTAL

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

(a) avoiding **wastewater** contamination of **stormwater** from new **wastewater networks** or connections authorised after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and

(b) reducing **wastewater** contamination of **stormwater** from the existing **wastewater network**, and

(c) progressively reducing **stormwater** and groundwater infiltration and inflow into the **wastewater network** so that untreated **wastewater** only overflows to water during heavy rainfall events.

Policy P77: Assessing resource consents to discharge stormwater containing wastewater

COASTAL

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

(a) infiltration and inflow into the **wastewater network** are managed in accordance with Policy P76, and

(b) a plan of how Policy P76 will be achieved, including key milestones and dates for these, is included with any resource consent application, and

(c) the plan required under (b) is developed with **mana whenua**.

Policy P78: Managing stormwater from large sites

COASTAL

The adverse effects of the discharge of **stormwater** from a port, airport or state highway, where the discharge will enter water shall be minimised by:

(a) managing the discharge in order to minimise the adverse effects of **stormwater** discharges on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**, and

(b) identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and

(c) progressively implementing methods identified in (b), and

(d) having particular regard to protecting sites with identified significant or outstanding values, and

(e) implementing **good management practice**, including in accordance with Policy P73, and progressive improvement of discharge quality over time.

Policy P79: Managing land use impacts on stormwater

COASTAL

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

(a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and

(b) do not cause new or exacerbate existing risk to human health or safety, or exacerbate the risk of inundation, erosion or damage to **property** or infrastructure,

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

4.8.4 Wastewater

Policy P80: Replacing wastewater discharge consents

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

(a) the objectives, limits, targets, discharge standards or other requirements set out in the Plan relevant to **wastewater** discharges to water, and

(b) the results of consultation with the community and **mana whenua** on their values and interests in relation to discharges and receiving waters, including adverse effects on **Māori customary use** and **mahinga kai**, and

(c) in response to consultation with the community and **mana whenua**, the short-term and long-term goals for **wastewater** discharges to water, where short-term goals are within the lifetime of the Plan and long-term goals are beyond the lifetime of the Plan, and

(d) how the short- and long-term goals for **wastewater** discharges to water will satisfy provisions of the Plan, and

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

Policy P81: Minimising and improving wastewater discharges

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

(a) in the case of **existing discharges** to fresh water from **wastewater** treatment plants, the quality of discharges shall be progressively improved and the quantity of discharges shall be progressively reduced, and

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

Policy P82: Mana whenua values and wastewater discharges

Reasonable steps shall be taken to reflect **mana whenua** values and interests in the management of **wastewater** discharges and receiving waters, including adverse effects on **Māori customary use** and **mahinga kai**.

Policy P83: Avoiding new wastewater discharges to fresh water

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

Policy P84: On-site domestic wastewater management

More than minor adverse effects on fresh water, including groundwater and coastal water from discharges from **on-site domestic wastewater treatment and discharge systems** shall be avoided. **On-site domestic wastewater**

treatment and discharge systems shall be designed, operated and maintained in accordance with the *New Zealand Standard AS/NZS 1547:2012 – On-site domestic wastewater management*.

Policy P85: Biosolids and treated wastewater to land

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

4.8.5 Wastewater from vessels and offshore installations and biofoul cleaning

Policy P86: Discharge of wastewater from vessels

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

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

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

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

(a) discharging **wastewater** from vessels greater than 500 tonnes outside the **harbour and pilotage limit** (shown on Map 49), and

(b) avoiding discharges into sites with significant values, and

(c) utilising shore based **disposal** facilities.

Policy P88: Biofoul cleaning

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

Note

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

4.8.6 Contaminated land, hazardous substances and landfills

Policy P89: Discharges from contaminated land

The discharge of **hazardous substances** from **contaminated land**, including closed landfills, is managed so that the significant adverse effects on fresh water, including groundwater, coastal water, and air is minimised.

Policy P90: Discharges of hazardous substances

The discharge of a **hazardous substance** to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, storage and transport of **hazardous substances** shall be managed by the use of **good management practices**.

Policy P91: Landfills

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

(a) ensuring landfill design, construction, operation and maintenance includes:

  (i) methods for leachate management, collection, treatment and disposal, and

  (ii) methods for **stormwater** capture and control from both off-site and on-site, and

  (iii) methods to minimise odour, and

  (iv) maintenance and monitoring to minimise contamination of the receiving environment, and

(b) methods for gas collection, flaring of gas, or if gas is used as a fuel for electricity generation, in accordance with section 25 to 27 of the National Environmental Standards for Air Quality Regulations (2004), and

(c) ensuring landfills are managed in accordance with site-specific landfill management plans, and

(d) having controls to manage **hazardous waste** and avoid any discharge of **hazardous wastes** or the leaching of contaminants from **hazardous wastes** into or onto land where they may enter water, and

(e) ensuring landfills are closed and monitored in accordance with *A Guide for the Management of Closing and Closed Landfills in New Zealand, 2001*.

4.8.7 Hydraulic fracturing

Policy P92: Discharges from hydraulic fracturing

The adverse effects on fresh water, including groundwater, and coastal water from chemicals or materials or the escape of hydrocarbons during the

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

Policy P93: Disposal of hydraulic fracturing chemicals or materials COASTAL

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

4.8.8 Discharges to land

Policy P95: Discharges to land

The discharge of contaminants to land shall be managed by:

(a) ensuring the discharge does not result in more than minor adverse effects to soil health, and

(b) avoiding discharges that would create **contaminated land**, and

(c) not exceeding the natural capacity of the soil to treat, use or remove the contaminant, and

(d) not exceeding the available capacity of the soil to absorb and infiltrate the discharge, and

(e) minimising effects on public health and amenity, and

(f) not resulting in a discharge that enters water.

Policy P95b4: Discharge of collected animal effluent[24]

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

(a) the collection, storage and distribution systems are sealed to avoid discharge of effluent outside the intended disposal area, and

(b) the discharge is to land, and:

  (i) effluent is only discharged when the **field capacity** of the soil will not be exceeded, and

  (ii) effluent is discharged at a rate that can be absorbed and treated by the soil and plants without ponding or surface runoff and without directly discharging to groundwater or through tile drains, and

[24] S42A: Overall framework of the proposed Plan – Part B, Clause 16(2). Moved Policy P94 to section 4.8.8 Discharges to land.

(iii) sufficient storage is provided so that effluent can be stored when weather or soil conditions are unsuitable for irrigation, in order to meet the conditions (b)(i) and (b)(ii) above, and

(iv) discharges do not pond or flow to any surface water, and

(v) discharges avoid adverse effects on **community drinking water supply protection areas** shown on Map 26, Map 27a, Map 27b and Map 27c.

4.8.9 Land use

Policy P96: Managing land use

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

Note

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

4.8.10 Earthworks and vegetation clearance

Policy P97: Managing sediment discharges

COASTAL

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

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

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

Policy P98: Accelerated soil erosion

COASTAL

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

(a) minimise the risk of accelerated soil erosion, and

(b) control silt and sediment runoff, and

(c) ensure the site is **stabilised** and vegetation cover is restored.

4.8.11 Livestock access and riparian management

Policy P99: Livestock access to a surface water body~~ies~~ and the coastal marine area[25]

COASTAL

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**

[25] S42A report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.2

body~~i~~es ~~and~~ or the coastal marine area resulting from **livestock** access ~~shall~~ be managed to:

(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

(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:~~

~~(a)~~(i) restrict~~ing~~ the location and frequency of access of some types of **livestock**, and

(ii) only allow access that protects aquatic habitat and water quality, and avoids significant damage to land in a surface water body or the coastal marine area.

~~(b) restricting the numbers of animals, and~~

~~(c) limiting the density, frequency and duration of access, and~~

~~(d) providing sufficient alternative sources of drinking water, shade and grazing outside of the banks and beds.~~

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

~~The overland flow of contaminants to **surface water bodies** from the use of land for **cultivation** and **break-feeding** shall be minimised through the use of riparian set-backs and **good management practices**.~~[26]

Policy P101: Management of riparian margins[27] COASTAL

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

(a) the exclusion of **livestock** likely to affect water quality~~, and~~

(b) appropriate set-back distances from **surface water bodies** for some land use activities,

~~(b)~~(c) encouraging the planting of appropriate riparian vegetation, and

~~(c)~~(d) the management of pest plants and animals.

[26] S42A report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.3
[27] S42A report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.4

4.8.12 Activities in beds of lakes and rivers

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

The reclamation or drainage of the beds of lakes and rivers and **natural wetlands** shall be avoided except where the reclamation or drainage is:

(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or

(b) associated with a **qualifying development** within a **special housing area**, or

(c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or

(d) necessary to enable the development, operation, maintenance and upgrade of **regionally significant infrastructure**, or

(e) associated with the creation of a new river bed and does not involve piping of the river, and

(f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or

(g) the reclamation or drainage is of an **ephemeral flow path**.

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

Policy P103: Management of gravel extraction

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

(a) the extraction does not result in an increase in flooding or erosion either at the site of extraction or across the wider river catchment, including any erosion of existing structures, and

(b) the flow of sediment and gravel to the coast is not reduced to the extent it would contribute to coastal erosion, and

(c) the rate of gravel extraction does not exceed the natural rates of gravel deposition, unless this is required to manage aggradation.

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

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

Policy P105: Protecting trout habitat

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

(a) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O25, and

(b) minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and

(c) maintain the amount of pool, run and riffle habitat, and

(d) maintain fish passage for trout, and

(e) minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).

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

The introduction to and removal of plants from the beds of lakes and rivers shall be managed so that:

(a) pest plants are not introduced and their removal is enabled, and

(b) indigenous plant species are encouraged to be planted where they are appropriate and their removal is only enabled where it is necessary to manage flooding and erosion, and

(c) the introduction or removal of plants does not increase flooding and erosion either at the site of introduction or removal, or across the wider river catchment, and

(d) the introduction or removal of plants does not adversely affect significant biodiversity values of the site.

4.9 Taking, using, damming and diverting water

Policy P107: Framework for taking and using water

The framework for the take and use of water recognises:

(a) groundwater connectivity to surface water shall be managed as described in ~~Schedule P~~ Table 4.1[28] (groundwater connectivity), and

(b) the take and use of water does not exceed **core allocation**[29] amounts provided for in the Plan, and

(c) **minimum flows or water levels** are managed in accordance with the Plan provisions, and

[28] Section 42A report: Water allocation Issue 2.2
[29] Section 42A report: Water allocation Issue 2.4

(d) permitted and controlled activities provided for in the Plan and section 14(3)(b) and (e) takes are not included in the allocation amounts, or subject to **minimum flows or water levels.**[30]

[30] Section 42A report: Water allocation Issue 2.6

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

~~Schedule P~~Table 4.1[31]: Classifying and managing groundwater and surface water connectivity			
Classification of connection between groundwater and surface water		**General description of the magnitude of surface water depletion effect and ~~aquifer~~ groundwater characteristics**	**General management approach**
Direct connection (Category A) groundwater[32]	~~**Groundwater directly connected to surface water**~~[33]	Stream depletion effects begin almost immediately after the commencement of groundwater abstraction and increase rapidly over subsequent days. Over the course of weeks to months the volume of groundwater pumped almost entirely represents flow depletion from local surface waters. Depletion effects dissipate quickly when pumping stops. **Direct connection (Category A) groundwater** aquifers are generally shallow, highly permeable gravels that occur along the riparian margins of the main river systems. **Direct connection (Category A) groundwater** takes are expressed in litres/sec (L/sec) (based on a weekly average). **Direct connection (Category A) groundwater** areas are generally shown in Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10.	~~Groundwater takes in aquifers directly connected to surface water are subject to the same core allocation and restrictions as surface water takes unless there is clear hydrogeological evidence demonstrating that surface water depletion effects from takes are less than expected.~~ **Direct connection (Category A) groundwater** takes are allocated from surface water allocation for the relevant catchment and sub catchment unit and are subject to restrictions outlined in Policy P115 and Schedule R. Where a groundwater take is located in an area shown in the whaitua chapters as **Direct connection (Category A) groundwater** and there is clear hydrogeological information demonstrating that surface water depletion effects from takes are less than expected, the take may be considered as **High or Moderate connection (Category B) groundwater.**[34] Such clear new hydrogeological evidence may be advanced by a resource consent applicant seeking a new resource consent or an existing user amending an existing resource consent. Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.
High connection (Category B)groundwater[35]		Compared with takes in **Direct connection (Category A) groundwater**, the onset of stream depletion effects is less immediate and it often takes weeks rather than days for the effect to become significant. ~~However, over the course of months the volume of groundwater pumped that is directly connected to surface water represents at least 60% flow depletion from local surface waters.~~ Depletion effects dissipate more slowly than takes from **Direct connection (Category A) groundwater** when pumping	~~Category B groundwater aquifers that are directly connected to surface water are subject to the same core allocation and restrictions as surface water. Groundwater that is not directly connected to surface water is subject to separate groundwater core allocation. The allocation for individual takes at a location in category B groundwater is based on a pumping test that provides hydrogeological evidence demonstrating the effects of taking water on surface water. A pumping test is required by a resource consent applicant~~

[31] Section 42A report: Water allocation Issue 2.2
[32] Section 42A report: Water allocation Issue 2.2
[33] Section 42A report: Water allocation Issue 2.2
[34] Section 42A report: Water allocation Issue 2.2
[35] Section 42A report: Water allocation Issue 2.2

~~Schedule P~~Table 4.1[31]: Classifying and managing groundwater and surface water connectivity			
Classification of connection between groundwater and surface water		**General description of the magnitude of surface water depletion effect and ~~aquifer~~ groundwater characteristics**	**General management approach**
	~~**Groundwater not directly connected to surface water**~~[38]	stops. **High connection (Category B) groundwater** considered to be: ~~available as **surface water allocation** is expressed in L/sec (based on a weekly average). **Category B groundwater** that is directly connected to surface water is:~~ (a) **groundwater** with a rate of take at the point of abstraction (based on weekly average) of greater than 5L/sec, and (b) **groundwater** ~~which over the course of a pumping season represents a flow depletion from local surface waters of greater than 60% of the rate of take or great than 10L/sec.~~ takes with a stream depletion effect from local surface waters of greater than 60% of the rate of take OR a calculated maximum rate of stream depletion of greater than 10L/sec*. Stream depletion effect is calculated using an assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period. [36] **High connection (Category B) groundwater** areas are generally shown in the Whaitua chapters at the locations and depths described in Figures 7.2, 7.3, 7.6, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10, Table 8.2 chapter 8 and Table 10.2 in chapter 10. ~~The component of category B groundwater takes considered to not be directly connected to surface water is the balance of the amount assessed as being directly connected (i.e. up to 40%).~~	~~seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.~~ ~~Due to the potential for category B groundwater aquifers to have a less direct effect on surface water than equivalent takes from category A areas, groundwater takes within category B with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes.~~ **High connection (Category B) groundwater** is allocated from both surface and groundwater allocation amounts. The calculated stream depletion effect is included in the surface water allocation for the relevant sub catchment management unit, while the remainder is included in the groundwater allocation for the relevant sub catchment management unit**. **High connection (Category B) groundwater** may be subject to restrictions outlined in Policy P115 and Schedule R. The management approach for individual takes at a location in **High Connection (Category B) groundwater** will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.[37] ~~Due to the potential for category B groundwater aquifers to have a less direct effect on surface water than equivalent takes from category A areas, groundwater takes within category B~~ **High Connection (Category B) groundwater** with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes and are not subject to minimum flow restrictions. Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.

[38] Section 42A report: Water allocation Issue 2.2
[36] Section 42A report: Water allocation Issue 2.2
[37] Section 42A report: Water allocation Issue 2.2

~~Schedule P~~Table 4.1[31]: Classifying and managing groundwater and surface water connectivity			
Classification of connection between groundwater and surface water		**General description of the magnitude of surface water depletion effect and ~~aquifer~~ groundwater characteristics**	**General management approach**
Moderate connection (Category B) groundwater[39]		Compared with takes in **Direct connection (category A) groundwater**, the onset of stream depletion effects is less immediate and it often takes weeks rather than days for the effect to become significant. Depletion effects dissipate more slowly than takes from **Direct connection (category A) groundwater** when pumping stops. **Moderate connection (Category B) groundwater** is considered to be: (a) groundwater takes with a weekly average rate of abstraction of 5L/sec or less, or (b) groundwater takes with stream depletion effect from local surface waters of less than 60% of the rate of take AND the calculated maximum rate of stream depletion of less than 10L/sec*. Stream depletion effect is calculated using an assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period.[40] **Moderate connection (Category B) groundwater** areas are generally shown in the Whaitua chapters at the locations and depths described in Figures 7.2, 7.3, 7.6, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10, Table 8.2 chapter 8 and Table 10.2 in chapter 10.	**Moderate connection (Category B) groundwater** is allocated from the groundwater allocation for the relevant sub catchment management unit. **Moderate connection (Category B) groundwater** is not subject to restrictions outlined in Policy P115 and schedule R. The management approach for individual takes at a location in **Moderate connection (Category B) groundwater** will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.[41]

[39] Section 42A report: Water allocation Issue 2.2
[40] Section 42A report: Water allocation Issue 2.2
[41] Section 42A report: Water allocation Issue 2.2

~~Schedule P~~Table 4.1[31]: Classifying and managing groundwater and surface water connectivity			
Classification of connection between groundwater and surface water		**General description of the magnitude of surface water depletion effect and ~~aquifer~~ groundwater characteristics**	**General management approach**
Limited connection (Category C) groundwater[42]		Groundwater takes may contribute to stream flow depletion at a catchment scale over the course of a pumping season but effects are much less immediate and significant than for **Direct connection (Category A) groundwater, High connection (Category B) groundwater** and **Moderate connection (Category B) groundwater** takes. ~~Aquifers~~ Groundwater with a limited degree of connection generally comprise low permeability geology and/or are the farthest removed from surface waters (e.g. deep confined aquifers). **Limited connection (Category C) groundwater** areas are generally shown in the Whaitua chapters at the locations and depths described in Figures 7.2-7.9 in chapter 7, Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10.	~~Takes from category C groundwater are not subject to core allocation and restrictions that relate to surface water but rely on separate core allocation for groundwater in whaitua chapters 7 and 8.~~ **Limited connection (Category C) groundwater** is allocated from the groundwater allocation for the relevant sub catchment management unit. **Limited connection (Category C) groundwater** is not subject to restrictions outlined in Policy P115 and schedule R. Where a groundwater take is located in an area shown in the Whaitua chapters as **Limited connection (Category C) groundwater** and there is clear hydrogeological evidence demonstrating that surface water depletion effects from take is greater than expected, the take may be considered as **High connection (Category B) groundwater**.[43] A pumping test is required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.

* For small streams in the **Kāpiti Whaitua**, if the stream depletion factor is less than 60%, a groundwater take is considered to have a **High connection** if the stream depletion effects is greater than 10 L/sec in streams with a MALF greater than 100 L/sec or 10% of MALF in streams with a MALF less than 100 L/sec

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

[42] Section 42A report: Water allocation Issue 2.2
[43] Section 42A report: Water allocation Issue 2.2

Policy P108: Integrating groundwater and surface water

The connectivity of groundwater and surface water shall be managed as described in ~~Schedule P~~ Table 4.1[44] (groundwater connectivity) and groundwater shall be allocated from one of two sources:

(a) ~~**groundwater directly connected to surface water**~~ **Direct connection (Category A) groundwater** and **High connection (Category B) groundwater**[45] within the **core allocation** for surface water, or

(b) ~~**groundwater not directly connected to surface water**~~ **Moderate connection (Category B) groundwater** and **Limited connection (Category C) groundwater**[46] within the **core allocation** for groundwater.

Policy P109: Lapse dates affecting water takes

Resource consents to take and use water shall be given effect to within three years of the commencement date unless a longer lapse date is justified due to the scale or complexity of the activity. For the purpose of this policy, "given effect to" includes the installation of infrastructure, water meter or flow measuring device or the use of the water in accordance with the purpose of the resource consent.

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

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

(a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem, and

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

This policy applies to:

(c) any new activity, and

(d) any change in the character, intensity or scale of any established activity that involves any taking, using, damming or diverting of fresh water or draining of any ~~**natural wetland**~~ wetland[47] which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the

[44] Section 42A report: Water allocation Issue 2.3
[45] Section 42A report: Water allocation Issue 2.3 – consequential changes
[46] Section 42A report: Water allocation Issue 2.3 – consequential changes
[47] Section 42A report: Water allocation Issue 1

change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried-out).

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

4.9.1 Minimum flows

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

Policy P111: Water takes at minimum flows and water levels

The take and use of water shall not occur when flows or water levels fall below **minimum flows or water levels** in the **whaitua** chapters (chapters 7-11), with the exception that water is available below **minimum flows or water levels**[48]:

(a) for firefighting, an individual's reasonable domestic needs and the reasonable needs of a ~~n individual's~~ person's[49] animals for drinking water as provided for by section 14(3)(b) and 14(3)(e) of the Resource Management Act 1991, or

(b) for the take and use of water permitted by rules in the Plan, or

(c) as authorised by resource consents in accordance with Policy ~~P108~~P115[50].

Policy P112: Priorities in drought and serious water shortage

In times of drought and **serious water shortage** when flows or water levels fall below the **minimum flows or water levels** in the **whaitua** chapters of the Plan (chapters 7-11), water takes shall be limited to that required for firefighting, ~~human~~ **health needs of people**, animal drinking water ~~and rootstock protection~~.[51]

4.9.2 Allocating water

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

Policy P113: Core allocation for rivers

The maximum allocation amounts for rivers (and their **tributaries**) and ~~**directly connected groundwater**~~ **Direct connection (Category A) groundwater** and **High connection (Category B) groundwater**[52] not listed in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is:

[48] Section 42A report: Water allocation Issue 2.3
[49] Section 42A report: Water allocation Issue 2.6
[50] Section 42A report: Water allocation Issue 2.3
[51] Section 42A report: Water allocation Issue 3.1
[52] Section 42A report: Water allocation Issue 2.2

(a) for rivers with mean flows of greater than $5m^3$/sec, 50% of the **mean annual low flow**, or

(b) for rivers with mean flows of less than or equal to $5m^3$/sec, 30% of the **mean annual low flow**.

Policy P114: Priorities when demand exceeds supply

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

(a) ~~the **health needs of people**, and~~

(b) ~~stock drinking water, and~~

(c) ~~other values.~~

The take and use of water for the **health needs of people** by community drinking water supply or a group drinking water supply shall be a priority over other uses.[53]

Policy P115: Authorising takes below minimum flows and lake levels

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

(a) the **health needs of people** as part of **group drinking water supply** or **community drinking water supply**, and

(b) the water used by industry from a **community drinking water supply** for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and

(c) **water races** for the purpose of supplying water for the **health needs of people** and animal drinking water, and[54]

(d) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of an **existing resource consent**[55], for the sole purpose of avoiding their death provided:

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

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

[53] Section 42A report: Water allocation Issue 3.1
[54] Section 42A report: Water allocation Issue 2.3
[55] Section 42A report: Water allocation Issue 3.1

(e) **direct connection (category A)**[56] **groundwater** which shall be required to reduce the take by 50% of the amount consented above **minimum flows or water levels**, and

(f) **High connection (category B) groundwater ~~(directly connected)~~, Moderate connection (category B) groundwater ~~(not directly connected)~~ and Limited connection (category C) groundwater**[57]**.**

Policy P116: Reallocating water

Water that becomes available from resource consents that are surrendered, lapsed, cancelled or not replaced, and by **existing resource consents** that are replaced for a lesser amount shall not be reallocated if the ~~**core allocation**~~ **allocation amounts**[58] identified in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is exceeded.

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

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

(a) For rivers with **mean flows** of greater than 5m^3/sec, up to 50% of the flow in the river above the **median flow**, or

(b) For rivers with mean flows of less than or equal to 5m^3/sec, up to 10% of the total amount of flow in the river, [59]

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

4.9.3 Reasonable and efficient use of water

Policy P118: Reasonable and efficient use

The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:

(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing **existing resource consents** have a period of four years from the date of the plan being made operative to meet the criteria, and

(b) maximising the efficient use of water when designing systems to convey or apply water, and

(c) industry guidelines, and

(d) water use records.

[56] Section 42A report: Water allocation Issue 2.2 – consequential change
[57] Section 42A report: Water allocation Issue 2.2 – consequential change
[58] Section 42A report: Water allocation Issue 3.2
[59] Section 42A report: Water allocation Issue 2.5

Policy P119: Unused water

Unused water allocated to an **existing resource consent** (excluding **existing resource consents** for **community or group drinking water supplies)**[60] may be re-allocated to the same user when the **existing resource consent** is replaced, or the abstraction rate is changed, only if the consent holder can demonstrate how the **unused water** will be used within four years, including by means of:

(a) a capital expenditure programme linked to the purpose water is used for, and

(b) satisfying the reasonable and efficient use criteria identified in Schedule Q (efficient use).

Policy P120: Taking water for storage

The taking of water for storage outside a river bed at flows above the **median flow** is appropriate provided Policy P117 is satisfied.

4.9.4 Managing adverse effects

Policy P121: Preventing salt water intrusion

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

(a) cessation of groundwater takes in a **catchment management unit** on the Kāpiti Coast when the water level at the foreshore falls below 1m above mean sea level (Wellington vertical datum 1953) (based on groundwater levels averaged over three days), and

(b) maintaining water levels at 2m above mean sea level (Wellington vertical datum 1953) at the foreshore of the Hutt Valley aquifer zone shown in Figure 8.2, chapter 8: Wellington Harbour and Hutt Whaitua, (based on groundwater levels averaged over 24 hours) and cessation of water takes when the water level falls below 1.7m above mean sea level (Wellington vertical datum 1953)[61].

Policy P122: Flow variability

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

Policy P123: Direct, cumulative adverse effects

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

Policy P124: Surface water intakes

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

[60] Section 42A report: Water allocation Issue 3.2
[61] Section 42A report: Water allocation Issue 4.1

Policy P125: Taking of groundwater

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

Policy P126: Site dewatering

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

(a) the ecosystem functioning of connected water bodies, and

(b) the reliability of supply for existing surface and ground water users, and

(c) the quality of surface or groundwater, and

the contamination of land and water.[62]

Policy P127: Backflow of contaminants

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

(a) industrial processes, and[63]

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

4.9.5 Transferring water permits

Policy P128: Transfer of resource consents

The temporary or permanent transfer of the whole or part of the amount allocated by a resource consent(s) to take and use water shall be enabled, provided:

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

(b) the transfer occurs within the same **catchment management unit**, and

(c) the same or a lesser amount of water is being taken or used, and

(d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and

(e) the transferee's water take and use is reasonable and efficient for the intended use, including meeting the reasonable and efficient use criteria identified in Schedule Q (efficient use).

[62] Section 42A report: Water allocation Issue 4.2
[63] Section 42A report: Water allocation Issue 4.1

4.9.6 Damming and diverting water

Policy P129: Minimum flows and water levels

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

4.9.7 Constructing and managing bores

Policy P130: Bores

COASTAL

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

(a) be sited to ensure adequate separation from existing **bores**, avoid an over-concentration of **bores** in a particular area (except where intensive investigation is required on a site for geotechnical, contamination or other investigative purposes), and to minimise adverse effects on the reliability of supply from properly constructed, efficient and fully functioning existing **bores**, and

(b) be constructed, and **bore** logs and other records be prepared, in accordance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*, and

(c) be used in a manner that prevents:

(i) contaminants from entering the **bore** from the land surface, and

(ii) the waste of water.

Policy P131: Bores no longer required

COASTAL

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

4.10 Coastal management

Coastal occupation charges

COASTAL

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

4.10.1 Primary coastal policies

Policy P132: Functional need and efficient use

COASTAL

Use and development in the coastal marine area shall:

(a) have a **functional need**, or

(b) have an **operational requirement** to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or

(c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area,

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

(d) only use the minimum area necessary, and

(e) be made available for public or multiple use where appropriate, and

(f) result in the removal of structures once redundant, and

(g) concentrate in locations where similar use and development already exists where practicable.

Policy P133: Recreational values

COASTAL

The adverse effects of use and development in the coastal marine area on recreational values shall be managed by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.

Policy P134: Public open space values and visual amenity

COASTAL

The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by:

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

(b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment, and

(c) taking account of the future need for public open space in the coastal marine area.

Policy P135: Safe passage

COASTAL

The efficient and safe passage of vessels and aircraft in the coastal marine area shall be provided for by avoiding inappropriate use and development in **navigation protection areas** (shown on Map 49).

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

COASTAL

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

Policy P137: Airport height restriction areas

COASTAL

Airport height restriction areas for Wellington International Airport (shown on Map 50) and Kapiti Coast Airport (shown on Map 51) in the coastal marine area shall be protected by avoiding structures that:

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

(b) infringe the Kapiti Coast Airport 1 in 40 gradient approach surface fan expansion along its 3,000m length or the 1 in 7 gradient runway strip side clearances (shown on Map 51)

unless the structure is required for airport purposes.

4.10.2 Structures

Policy P138: Structures in sites with significant values

COASTAL

New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where:

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

(b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or

(c) the structure will provide for navigational safety, or

(d) it is necessary to enable the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**,

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

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

Policy P139: Seawalls

COASTAL

The construction of a new seawall is inappropriate except where the seawall is required to protect:

(a) existing, or **upgrades** to, infrastructure, or

(b) new **regionally significant infrastructure**,

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

(c) there is no reasonable or practicable alternative means, and

(d) suitably located, designed and certified by a qualified, professional engineer, and

(e) designed to incorporate the use of **soft engineering** options where appropriate.

Policy P140: Boatshed Management Areas

COASTAL

New boatsheds shall be managed by:

(a) avoiding the development of boatsheds outside Boatshed Management Areas (shown on Map 31), and

(b) requiring that new boatsheds are compatible in scale, size and character to existing boatsheds.

Policy P141: Boatsheds

COASTAL

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

Policy P142: Lambton Harbour Area

COASTAL

Use and development of the **Lambton Harbour Area** may be appropriate if the use and development:

(a) provides for a range of activities appropriate to the harbour/city interface, and

(b) is compatible with the urban form of the city, and

(c) recognises the historic heritage character, development and associations of the area, and

(d) does not detract from the amenity of the area, and

(e) recognises that the **Lambton Harbour Area** is adjacent to the **Commercial Port Area**, which is a working port, and

(f) ensures that the development of **noise sensitive activities** is adequately acoustically insulated in order to manage **reverse sensitivity** effects, and

(g) enables social and economic benefits to Wellington City and the wider region, and

(h) provides for open space, pedestrian and cycle through routes and access to and from the water, and

(i) recognises **mana whenua waka** and **waka ama** uses and enables them to continue, and

(j) has particular regard to provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.

4.10.3 Other activities in the coastal marine area

Policy P143: Deposition in a site of significance

Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:

(a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or

(b) it involves renourishment for the purpose of managing coastal erosion, or

(c) it provides for public amenity, or

(d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or

(e) the activity is carried out by or for local authorities, or

(f) it is necessary to enable the efficient development, operation, maintenance and **upgrade** of **regionally significant infrastructure**,

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

(g) there are no practicable alternative methods of providing for the activity.

Policy P144: Dumping in a site with significant values

Dumping in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:

(a) it is necessary to enable the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and

(b) there are no practicable alternative methods of providing for the activity.

Policy P145: Reclamation, drainage and destruction

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

(a) the **reclamation**, drainage or destruction is associated with the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and

(b) there are no other locations outside the coastal marine area for the activity associated with the **reclamation**, drainage or destruction, and

(c) there are no practicable alternative methods of providing for the associated activity.

Policy P146: Introduction of pest plants

The introduction of plants listed in the National Pest Plant Accord into the coastal marine area shall be avoided.

Policy P147: Motor vehicles on the foreshore

District and city councils may restrict the use of **motor vehicles** on the foreshore, with the exception of vehicles associated with:

(a) surf lifesaving operations, or

(b) emergency situations, including (but not restricted to) firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or

(c) local authority activities, or

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

Policy P148: Motor vehicles in sites with significant value

The use of **motor vehicles** on the foreshore in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or **regionally significant infrastructure** purposes.

Policy P149: Protection of the Tītahi Bay fossil forest

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

Policy P150: Noise and lighting

Noise in the coastal marine area shall be managed by applying the general conditions as set out in section 5.7.2 of the Plan or by adopting the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Exterior lighting on structures shall avoid being directed at **sensitive activities**, streets, roads and navigation tracks and shall minimise effects on other users and wildlife, unless it is for operational health and safety reasons.

Policy P151: Underwater noise

COASTAL

Use and development in the coastal marine area shall be managed to minimise the adverse effects of underwater noise on the health and well-being of marine fauna and the health and amenity values of users of the coastal marine area.