

Submitter ID:

File No:

Further Submission

on Proposed Natural Resources Plan for the Wellington Region



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Clause 8 of Schedule 1, Resource Management Act 1991.

Please complete this form to make a further submission on the Proposed Natural Resources Plan for the Wellington Region (PNRP). All sections of this form need to be completed for the submission to be accepted.

A further submission may only be made by a person representing a relevant aspect of the public interest, or a person that has an interest in the PNRP greater than the interest that the general public has, or the Wellington Regional Council itself. A further submission must be limited to a matter in support of, or in opposition to, a submission made on the PNRP.

For information on making a further submission see the Ministry for the Environment website:
www.mfe.govt.nz/publications/rma/everyday-guide-rma-making-submission-about-proposed-plan-or-plan-change

Return your signed further submission to the Wellington Regional Council by post or email by 5pm Tuesday 29 March 2016 to:

Greater Wellington Regional Council
Further Submission on Proposed Natural Resources Plan
for the Wellington Region
Freepost 3156
PO Box 11646
Manners Street
Wellington 6142

Regionalplan@gw.govt.nz

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FreePost Authority Number 3156



FORM 6: FURTHER SUBMISSION FORM

This is a further submission in support of, or opposition to, a submission on the PNRP.

A. DETAILS OF FURTHER SUBMITTER

FULL NAME

Colin Crampton

ORGANISATION (* the organisation that this submission is made on behalf of)

Wellington Water Limited

ADDRESS FOR SERVICE (INCLUDING POSTCODE)

Private Bag 39804
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PHONE

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Only certain people may make further submissions

Please tick the option that applies to you:

- I am a person representing a relevant aspect of the public interest; or
 I am a person who has an interest in the PNRP that is greater than the interest the general public has.

Specify below the grounds for saying that you are within the category you have ticked.

Wellington Water is owned by the Hutt, Porirua, Upper Hutt and Wellington city councils and Greater Wellington Regional Council. We manage the drinking water, wastewater and stormwater services in the public interest and are responsible for the environmental effects of these activities. The PNRP sets the RMA framework for carrying out our obligations under the Local Government Act to provide these services to meet the current and future needs of communities for good-quality local infrastructure in a way that is most cost-effective for households and businesses.

Service of your further submission

Please note that you must serve a copy of this further submission on the original submitter no later than five working days after this further submission has been provided to Wellington Regional Council.

If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served on each original submitter.

Signature:



Date:

23 March 2016

Signature of person making further submission or person authorised to sign on behalf of person making the further submission. A signature is not required if you make your submission by electronic means.

Please note

All information contained in a further submission under the Resource Management Act 1991 becomes public information. All further submissions will be put on our website and will include all personal details included in the further submission.

B. APPEARANCE AT HEARING

Please select from the following:

- I do not wish to be heard in support of my further submission; or
 I do wish to be heard in support of my further submission; and, if so,
 I would be prepared to consider presenting this further submission in a joint case with others making a similar further submission at any hearing.

Please enter further submission points in the table on the following pages

C. FURTHER SUBMISSION POINTS

Please complete the following table with details of which original submission points you support and/or oppose, and why, adding further rows as necessary.

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
<p>Name of person/group making original submission and postal address.</p> <p>e.g. Joanne Bloggs 12 Pine Tree Avenue Redwood</p>	<p>e.g. submitter S102</p>	<p>Whether you support or oppose the submission.</p> <p>e.g. Oppose</p>	<p>Indicate which parts of the original submission (which submission points) you support or oppose, together with any relevant PNRP provisions.</p> <p>e.g. Oppose all of submission point S102/41</p>	<p>Why you support or oppose each submission point.</p> <p>e.g. The submission point does not recognise...</p>	<p>The part or whole of each submission point you wish to be allowed or disallowed.</p> <p>e.g. Disallow the parts of S102/41 relating to...</p>
<p>Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342</p>	S29	Support	S29/62. Definition "bore"	As an alternative to providing an explicit rule for well pointing and where it is associated with excavations of short duration, it is practical to exclude well pointing from this definition. However, for greater clarity, it would be beneficial to provide a separate definition of "well pointing".	Amend the definition of bore as follows: A structure or hole (but not including temporary well pointing (up to 2 months)) in the ground constructed for the purpose of:- investigating or monitoring the conditions below the ground surface, or- abstracting liquid substances from the ground, or- discharging liquid substances into the ground.
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	S146	Support	S146/013. Definition "Dewatering"	Dewatering can also occur through the diversion of groundwater.	Amend the definition of 'dewatering' as follows: The abstraction <u>or diversion</u> of groundwater so as to lower the water table for the period of time required to enable maintenance, excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	S146	Support	S146/014. Definition "Earthworks"	Bores, including geotechnical bores, have their own definition and rule structure, so bores should not be classified earthworks.	Amend the definition: The disturbance of a land surface from the time soil is first disturbed on a site until the time the site is stabilised. Earthworks includes blading,

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<p>Transpower NZ Ltd, C-/ Boffa Miskell Limited, PO Box 11 340, Level 4, Huddart Parker Building 1 Post Office Square, Wellington 6142</p>	<p>S165</p>	<p>Support</p>	<p>S165/048. Definition "Earthworks"</p>	<p>Include "upgrade" to ensure ongoing operations are effective and efficient and not unduly restricted by earthworks provisions. This generally would not result in additional environmental effects.</p>	<p>contouring, ripping, moving, removing, placing or replacing soil or earth, by excavation, or by cutting or filling operations, or by root raking. Earthworks do not include: (a) (i) <u>The construction, repair or maintenance of a bore or geotechnical investigation bore.</u> (i) <u>The placement or construction of ballast, rip rap, gabions, groynes or other protective materials or structures.</u></p> <p>Amend to include upgrade: (d) the construction, repair, <u>upgrade</u> or maintenance of: (i) pipelines, and (ii) electricity lines including the National Grid, and (iii) telecommunication structures or lines, and (iv) radio communication structures, and (v) firebreaks or fence lines (e) <u>upgrade</u>, repair or maintenance of existing roads and tracks, and</p>
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/027. Definition "Operational requirement"</p>	<p>Health and safety is an operational requirement in today's environment and should be included.</p>	<p>Amend the definition of operational requirement: When an activity needs to be carried out in a particular location or way in order to be able to function <u>safely</u>, effectively and efficiently.</p>
<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council, c/- Tonkin & Taylor Limited, PO Box 2083, Wellington 6140</p>	<p>S85</p>	<p>Support</p>	<p>S85/005. Definition "Property"</p>	<p>It is unclear how many of the rules relating to stormwater and earthworks maximum limits per property apply to discharges and earthworks on locations such as rivers, roads, parks and gardens.</p>	<p>Make the necessary amendments to clarify how the air quality, stormwater and earthworks rules apply to publicly owned areas such as rivers and roads.</p>

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NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/031. Definition "Reverse sensitivity"	The definition needs to protect maintenance, upgrade and development of existing activities to be effective.	Amend the definition of reverse sensitivity: The vulnerability of an existing lawfully-established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activities, thereby creating the potential for the operation, <u>maintenance, upgrade and development</u> of such existing activity to be constrained.
Transpower NZ Ltd, C-/ Boffa Miskell Limited, PO Box 11 340, Level 4, Huddart Parker Building 1 Post Office Square, Wellington 6142	S165	Support	S165/006. Objective O13 Protecting regionally significant infrastructure	Maintenance and upgrade of infrastructure is also required as well as use and operation for it to be safe, effective and efficient.	Amend Objective O13 to the effect of: The ongoing use, and ongoing operation, maintenance and upgrade of regionally significant infrastructure and renewable energy generation activities
Centreport Ltd, PO Box 794, Hinemoa Street, Wellington 6140	S121	Support	S121/028. Objective O22 Hard engineering	Regionally significant infrastructure sometimes has the functional need to operational requirement to be protected by hard engineering to protect its integrity and function.	Amend Objective O22 to the effect of: Hard engineering mitigation and protection methods are only used as a last practicable option <u>unless there is a functional need or operational requirement.</u>
Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342	S29	Support	S29/008. Objective O44 Land use impacts on soil and water	The RMA requires that adverse effects are avoided, remedied or mitigated.	Modify O44 to the effect of: The adverse effects on soil and water from land use activities are <u>avoided, remedied or mitigated.</u>
NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/078 4. Policies	Regionally significant infrastructure typically has an operational lifespan well beyond the maximum term of consent and the community has an expectation that these services will be provided in the long term. Long term consents	Add a new policy to provide direction on the duration of operational consents for infrastructure of regional significance. Resource consent durations for regionally significant infrastructure applications required under ss13, 14 and 15 of the RMA will generally be granted

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<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/076 Policy P4 Minimising adverse effects</p>	<p>encourage investment and optimal solutions for environmental benefit.</p> <p>We are concerned with the concept of reducing adverse effects to the smallest possible. The policy should be refocused to offer the best practicable option for regionally significant infrastructure which takes into account the social, economic, cultural and environmental factors. Including cost implications and affordability for communities for necessary infrastructure is important.</p>	<p><u>for the maximum period of time unless reasons are identified during the consent process that make this inappropriate.</u></p> <p>Replace the policy to focus on achieving the best practicable option, rather than minimising effects to the smallest amount practicable. <u>In sensitive locations, regionally significant infrastructure and other activities, shall consider the best practicable option to determine whether the proposed use and development is appropriate. In this context, the best practicable option means considering which site, route or method is the most appropriate for preventing or minimising effects on the environment while taking into account:</u></p> <p><u>(a) the nature and location of the activity, especially for regionally significant infrastructure, and the sensitivity of the receiving environment to adverse effects; and (b) the presence of existing development and whether the activity or development can effectively and efficiently utilise existing physical resources; and (c) the functional and locational needs and operational requirements associated with the activity; and (d) the financial implications of that option when compared to other options; and (e) the effects on the environment of that option when compared with other</u></p>

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Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342	S29	Support	S29/014. Policy P4 Minimising adverse effects	The policy needs to be practicable for infrastructure that is necessary and expected by the community.	<u>options; and (f) the current state of technical knowledge and the likelihood that the option can be successfully applied.</u> Modify Policy P4 to the effect of: 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 may include: (a) consideration of alternative practicable locations and methods for undertaking the activity including, (b) where relevant, a location outside of areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and
Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342	S29	Support	S29/014. Policy P5: Review of existing consents	The review needs to be relevant to the effects of the exercise of the particular consent, and it needs to be clear that environmental effects are not attributable to other causes, be they exercise of other consents or natural causes. Uncertainty will affect investment decisions for asset managers.	Add to the policy to the effect of: "... where evidence can be produced of adverse effects attributable to the exercise of the consent."
Wellington City Council, PO Box 2199 Wellington, 6140	S286	Support	S286/001 4.2 Beneficial use and development	The existing urban environment and resource for future urban growth is important for the community and cannot operate or be developed without some use of natural resources.	Include a new policy (or similar) in Section 4.2 Beneficial use and development: Recognise the contribution existing urban areas, identified urban growth areas and infrastructure make to the

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					<u>social, economic and cultural wellbeing of people and communities and provide for their ongoing use and development.</u>
Porirua City Council, PO Box 50-218 16 Cobham Court, Porirua 5240	S163	Support	S163/049 Policy P7: Uses of land and water	The policy should include the management of stormwater to protect communities from flooding.	Amend subclause (b) to read: "treatment, management, dilution and disposal of wastewater and stormwater..."
NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/080 Policy P7: Uses of land and water	Construction and operational water supply should be recognised in the context of the benefits it delivers to the region.	Amend Policy 7: The cultural, social and economic benefits of using land and water for: (a) Treatment, dilution, conveyance and disposal or wastewater and stormwater, and ... (k) Transport over, under, adjacent, along, and access to, water bodies (l) Construction and operational water supply for regionally significant infrastructure shall be recognised.
Centreport Ltd, PO Box 794, Hinemoa Street, Wellington 6140	S121	Support	S121/043 Policy P8: Beneficial activities	Amend the policy to recognise that maintenance and use but also upgrade of structures are beneficial.	Amend Policy P8 as follows: ... h) maintenance, use and upgrading of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes, and....
Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342	S29	Support	S29/017. Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities.	Reverse sensitivity is not the only concern associated with incompatible development in proximity to significant infrastructure. The policy should be amended to address any relevant adverse effects from incompatible use and development.	Modify Policy 14 to the effect of: Regionally significant infrastructure and renewable energy generation activities shall be protected ... by locating and designing any new use and development to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects
NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/084 Policy P14: Incompatible activities adjacent to regionally significant infrastructure	The policy implies that only the existing infrastructure is addressed and it not clear that the efficient and effective use, maintenance,	Amend Policy 14: Regionally significant infrastructure reverse sensitivity effects which may compromise the efficient and effective

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<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>and renewable electricity generation activities. S146/090 Policy P25: Natural character</p>	<p>upgrading replacement or development of that infrastructure may also be compromised. The policy can be simplified and apply an effects based approach as opposed to a bottom-line approach. It should acknowledge some use and development is appropriate, for example, regionally significant infrastructure.</p>	<p>use, maintenance, upgrading replacement or development of that infrastructure. Amend Policy 25: Use and development shall avoid, remedy or mitigate 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 lakes and rivers, taking into account: (d) whether the use and development is appropriate after considering: (i) the use of alternative locations, or form of development that would be more appropriate to that location; and (ii) the extent to which functional need or existing use limits location and development options; (iii) whether the use or development is regionally significant infrastructure.</p>
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/091 Policy P26: Natural processes</p>	<p>This policy is not consistent with the effects based approach of the RMA.</p>	<p>Amend Policy 26: Use and development will avoid, remedy or mitigate effects on the integrity and functioning of natural processes. Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant and/or provide essential services for the health and safety of the community and protection of the environment. Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain</p>
<p>Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040</p>	<p>S84</p>	<p>Support</p>	<p>S84/017 Policy P27: High hazard areas</p>	<p>Some regionally significant infrastructure must be in high hazard areas for functional reasons, so the policy should be less absolute in terms of restrictions.</p>	<p>Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant and/or provide essential services for the health and safety of the community and protection of the environment. Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain</p>

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Centrepoint Ltd , PO Box 794, Hinemoa Street, Wellington 6140	S121	Support	S121/053 Policy P28: Hazard mitigation measures	A presumption to avoid hard engineering solutions where there is a functional need and operational requirement is inappropriate.	resource consent. This would allow for resource consent for these activities to be granted in appropriate circumstances. Amend Policy P28 as follows: Hard engineering mitigation and protection methods shall be avoided except where (a) there is a functional and operational need; or (b) It is necessary to protect existing and planned future development from unacceptable risk,
Federated Farmers of New Zealand , PO Box 715 Wellington 6140	S352	Support	S352/139 Policy P31: Aquatic ecosystem health and mahinga kai	Minimising adverse effects of regionally significant infrastructure could potentially be difficult to do and come with very high costs. Prefer to use the effects based approach of the RMA by replacing "minimise adverse effects" with "avoid, remedy or mitigate".	Replace "minimise adverse effects" with "avoid, remedy or mitigate significant adverse effects" in conditions (a)-(d) and (f)]. Amend (e): ...e) avoid remedy or mitigate creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and...
Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council , c/- Tonkin & Taylor Limited, PO Box 2083, Wellington 6140	S85	Support	S85/033 Policy P34: Fish passage	The policy uses overly strong wording "avoid" which could unduly restrict appropriate and important such as in-stream works necessary for operating, maintaining, developing and upgrading regionally significant infrastructure.	Amend P34 so that it refers only to circumstances where fish passage is justified, for example based on habitat assessment, and reflects the importance of regionally significant infrastructure.
NZ Transport Agency , PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/099 Policy P36: Effects on indigenous bird habitat	Minimising adverse effects of regionally significant infrastructure could potentially be difficult to do and come with very high costs. Prefer to use the effects based	Amend Policy 36: 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,

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Wellington City Council, PO Box 2199 Wellington, 6140 New Zealand	S286	Support	S286/034 Policy P44: Protection and restoration of sites with significant mana whenua values	approach of the RMA by replacing "minimise adverse effects" with "avoid, remedy or mitigate". The degree of restoration or protection of sites of significance needs to be in the context of the degree of existing development of the site that currently exists, particularly if it is in an urban environment.	roosting, feeding, and migration shall be avoided, remedied or mitigated. Amend the policy (or include a new policy) to recognise that some sites of significance to Mana Whenua are within a modified/artificial urban environment.
Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342	S29	Support	S29/028. Policy P67: Minimising effects of discharges	The focus should be on the concentration of the contaminant not the absolute volume.	Modify Policy 67 to the effect of: ...(c) minimising the volume or amount of the contaminant in the discharge, and/or...
NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/114 Policy P67: Minimising effects of discharges	Minimising adverse effects of regionally significant infrastructure could potentially be difficult to do and come with very high costs. Prefer to use the effects based approach of the RMA by replacing "minimised" with "avoid, remedy or mitigate".	Amend Policy 67: The adverse effects of discharges of contaminants to land and water will be avoided, remedied or mitigated by: (a) avoiding the production of the contaminant
Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council, c/- Tonkin & Taylor Limited, PO Box 2083, Wellington 6140	S85	Support	S85/025 Policy P97: Managing sediment discharges	It is unclear whether "surface water bodies" include artificial drains that lead to sediment treatment devices. The definition for "source control" does not relate well to sediment generation. It is unclear how offsetting would be applied to applications involving sediment discharges.	Revise the policy and associated definitions to improve clarity as to its meaning, and to only relate to effects on natural water bodies. For example, definitions and use of the terms 'surface water body', 'drain', 'source control', 'offset'.
Petroleum Exploration and Production Association of New Zealand, PO Box 5227	S102	Support	S102/002. Policy P92: Discharges from hydraulic fracturing	The policy is in 2 halves. The second half which starts "Well casings shall be designed..." is about how to build a good bore.	Replace the second half which starts "Well casings shall be..." to the effect of: Well or bore siting, construction, alternation, or decommissioning must be

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Lambton Quay, Wellington 6145				<p>We support a better alternative taken from Taranaki Regional Council to replace this second half of policy P92, which better addresses protection of aquifers from contamination and also more clearly states good bore construction and management.</p>	<p>managed in a way that: (a) complies with recognised standards, codes of practice, or regulations, particularly in relation to the maintenance of well or bore integrity and decommissioning; (b) avoids aquifer cross-contamination or aquifer contamination from open or unsealed wells or bores, and from other operational activities; (c) selects best practice drilling and construction methods, including the type of muds and other construction materials used; (d) minimises effects on the reliability of groundwater supply for properly constructed, efficient and fully functioning existing bores; and (e) ensures that well or bore logs are prepared and made available for the construction or alteration of wells or bores."</p>
<p>Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040</p>	S84	Support	<p>S84/019 Policy P102: Reclamation or drainage of the beds of lakes and rivers</p>	<p>The operation, maintenance and upgrade of regionally significant infrastructure may require these types of activities as the best practicable option. The policy framework should not make it unduly difficult to carry out functions expected by the community for normal services.</p>	<p>Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant and/or provide essential services for the health and safety of the community and protection of the environment. Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain resource consent. This would allow for resource consent for these activities to be granted in appropriate circumstances.</p>

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Wellington City Council, PO Box 2199 Wellington, 6140 New Zealand	S286	Support	S286/020 Policy P102: Reclamation or drainage of the beds of lakes and rivers	A balanced approach would be identify the priority streams where piping is to be avoided, based on a range of criteria, and other areas where piping might be acceptable. A hierarchy of provisions could then differentiate between streams and match which ones could appropriately be piped.	Undertake an assessment of stream systems within identified growth areas (in conjunction with WCC) to identify the values and level of modification of streams. This information should then be used to inform the development of rules and policies that recognise the values of streams, and identify where and when the reclamation of stream beds may be appropriate and where it is not appropriate.
NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145	S146	Support	S146/125 Policy P105: Protecting trout habitat	(b) and (e) need to be qualified by what is appropriate and capable of being practicably achieved.	Amend Policy 105 by adding 'to the extent practicable' to the end of sub clauses (b) and (e).
CentrePort Properties Limited, PO Box 794, Wellington 6140	S141	Oppose	S141/031 Policy P136 Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.	Retain policy as notified and do not remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.
Centreport Ltd, PO Box 794, Hinemoa Street, Wellington 6140	S121	Oppose	S121/077 Policy P136 Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.	Retain policy as notified and do not remove the Commercial Port Area from the Hutt Valley aquifer zone.
Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040	S84	Support	S84/020 Policy P138: Structures in sites with significant values	The operation, maintenance and upgrade of regionally significant infrastructure may require these types of activities as the best	Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant

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Porirua City Council, PO Box 50-218 16 Cobham Court, Porirua 5240	S163	Support	S163/007 5. Rules	<p>practicable option. The policy framework should not make it unduly difficult to carry out functions expected by the community for normal services.</p> <p>Case law has determined that tests for permitted activities should be clear and concise</p> <ul style="list-style-type: none"> • not contain subjective terms • be capable of consistent interpretation and implementation by lay people without reference to council officers • not retain later discretions (decision making) to council officers. 	<p>and/or provide essential services for the health and safety of the community and protection of the environment.</p> <p>Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain resource consent. This would allow for resource consent for these activities to be granted in appropriate circumstances.</p> <p>We recommend that the provisions are assessed against the tests for permitted activities set out in the Environment Court decision on Carter Holt Harvey vs Waikato Regional Council A123/08.</p>
Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040	S84	Support	S84/023 Rule R62: New wastewater to fresh water - non-complying activity	<p>The activity status should be based on actual effects. For example, a wastewater overflow from a pump station in a heavy rainfall event that inundates the system will be very dilute, into a flooded freshwater body when it would be unsafe to have contact recreation.</p>	<p>Amend Rule R62 and change the activity status from a non-complying activity to a discretionary activity.</p>
Porirua City Council, PO Box 50-218 16 Cobham Court, Porirua 5240	S163	Support	S163/096 Rule R62: New wastewater to fresh water - non-complying activity	<p>This rule is presumably intended for high volume continuous discharges from wastewater treatment plants into freshwater</p>	<p>Review and amend this rule, taking into account the need to strike a balance between environmental outcomes and the ability of communities to pay for the</p>

Details of the submission you are commenting on	Original submission number	Position	Part(s) of the submission you support or oppose	Reasons	Relief sought
<p>Regional Public Health, Private Bag 31-907, Lower Hutt 5040</p>	<p>S136</p>	<p>Oppose</p>	<p>S136/016 Rule R78: Application of biosolids (Ab, Ba, or Bb) to land - restricted discretionary activity</p>	<p>rather than occasional, temporary discharges from overflows during high rainfall events. These situations are significantly different in effects yet both are treated the same. Suggest distinguishing between these extremes and providing less stringent provisions commensurate with activities of lesser effects.</p> <p>Currently emerging contaminants are not well understood and the justification for inclusion is not clear. It is difficult to speculate on the requested "future potential effects". There is uncertainty as to what would need to be monitored. Any monitoring regime is likely to be onerous and expensive and potentially unnecessary. The testing of such substances is also expensive with uncertain outcomes.</p>	<p>substantial upgrades that would be required to comply with the rule. Either clarify whether this rule applies to wet weather overflows, or introduce more lenient provisions for wet weather overflows or provide transitional provisions.</p> <p>Retain the rule as notified and do not add a new clause 10 Matters for discretion: "Measures for monitoring emerging contaminants".</p>
<p>Lewis Herrick, Melton Dairies, 1513 RD3 Martinborough</p>	<p>S378</p>	<p>Oppose</p>	<p>S378/81 Rule R83: Discharge of collected animal effluent onto or into land - controlled activity</p>	<p>Community water supply areas need to be protected from potential contaminants.</p>	<p>Retain (e)(iii) as notified and do not delete it as requested.</p>
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/173 5.5.4 Beds of lakes and rivers general conditions</p>	<p>Existing structures should be permitted activities.</p>	<p>Add a new rule for existing structures in all rivers and lakes <u>Existing permitted or otherwise lawfully established structures in any river or lake existing at the date of notification of the Proposed Natural Resources Plan, and the use of</u></p>

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<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/172 5.5.4 Beds of lakes and rivers general conditions</p>	<p>The fish passage requirement in (d) should relate to the structure once constructed. It should only apply to new structures, not retrospectively. Fish passage should be able to be temporarily restricted for the practical reasons of construction and maintenance periods where there is no practicable alternative.</p> <p>It is not always possible to contain a diversion within the bed of a river, especially in narrow streams where water may be pumped over or around a working area.</p> <p>It is critical that these conditions are workable and achievable as they need to be complied with by almost all the rules in the section of the plan.</p>	<p><u>those structures, is a permitted activity.</u></p> <p>Amend the 5.5.4 general conditions Beds of lakes and rivers general conditions for activities in the beds of lakes and rivers that apply as specified in Rules R112 to R125: ... (d) <u>Once constructed</u>, structures are designed and installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times.... and (x) <u>during construction or maintenance works, fish passage shall not be restricted for a duration longer than necessary to undertake the activity and must not be restricted for a period longer than 12 hours in any 72 hour period; and ...</u> (i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall: ...(ii) must be contained within the bed of the river, and...</p>
<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/179 Rule R119: Clearing flood debris and beach recontouring - permitted activity</p>	<p>Clarify by including the word "in" to enable removal of flood debris around piers in the bed of a river which may technically be deemed not to be "on" the bed (ie in flow). Add the functioning of the structure in (e).</p>	<p>Amend to the effect of: The clearing of flood debris <u>in or on</u> the bed of a river or lake, and beach recontouring of the bed of a river (including, but not limited to, beach ripping), including any associated:...</p> <p>(e) the removal of flood debris shall be for the purposes of flood or erosion</p>

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<p>NZ Transport Agency, PO Box 5084 Lambton Quay, Wellington 6145</p>	<p>S146</p>	<p>Support</p>	<p>S146/181 Rule R125: Structures within a site identified in Schedule C (mana whenua) - restricted discretionary activity</p>	<p>This rule should be amended to recognise and provide for regionally significant infrastructure.</p>	<p>control or to maintain the integrity or <u>functioning</u> of a structure, and</p> <p>Amend to the effect of: The placement or <u>construction and subsequent use</u> of a river crossing structure, a culvert, new small dam, or other small structure that that is fixed in, on, <u>over</u> or under the bed of a river within a site identified in Schedule C (mana whenua), including any associated:</p> <p><u>(l) unless the structure and use is associated with the use, operation, maintenance, upgrade or development of regionally significant infrastructure in which case (h) – (k) do not apply.</u></p> <p>Matters for discretion: 1. Effects on sites with significant mana whenua values. 2. <u>The functional need and operational requirements of regionally significant infrastructure.</u></p>
<p>CentrePort Properties Limited, PO Box 794, Wellington 6140</p>	<p>S141</p>	<p>Oppose</p>	<p>S141/037 Rule R146: Geotechnical investigation bores - permitted activity</p>	<p>The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.</p>	<p>Retain rule as notified and do not remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.</p>
<p>Powerco NZ Ltd, Private Bag 2061, New Plymouth 4342</p>	<p>S29</p>	<p>Support</p>	<p>S29/052. New Rule R146A: Geotechnical investigation bores - permitted activity</p>	<p>Excavation and dewatering for works on underground assets should not trigger a bore consent. The current definition of bore does</p>	<p>Add new Rule 146A Well pointing for dewatering/diversion</p>

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CentrePort Properties Limited, PO Box 794, Wellington 6140	S141	Oppose	S141/038 Rule R147: Drilling, construction or alteration of any bore - controlled activity	not capture dewatering activities as the purpose is incidental to the construction or replacement of infrastructure. The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.	Retain rule as notified and do not remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.
CentrePort Properties Limited, PO Box 794, Wellington 6140	S141	Oppose	S141/039 Rule R148: Drilling, construction or alteration of any bore - discretionary activity	The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.	Retain rule as notified and do not remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.
CentrePort Ltd, PO Box 794, Hinemoa Street, Wellington 6140	S141	Oppose	S121/106 5.7.2 Coastal management general conditions	The aquifer could be in Lambton Harbour Area (Northern Zone). GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary approach because the potential adverse effects on the aquifer are great.	Retain condition (c) as notified and do not allow submission point S121/106.
CentrePort Properties Limited, PO Box 794, Wellington 6140	S141	Oppose	S141/040 Coastal management general conditions: disturbance (a) - (d).	The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary	Retain provision as notified and do not remove the Lambton Harbour Area (Northern Zone) from the Hutt Valley aquifer zone.

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<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council, c/- Tonkin & Taylor Limited, PO Box 2083, Wellington 6140</p>	S85	Support	S85/059 Rule R154 : New temporary structures outside sites of significance - permitted activity	<p>approach because the potential adverse effects on the aquifer are great.</p> <p>Temporary damming of coastal water can be required to create a dry work environment for construction of some stormwater or 3 waters structures. As damming would be limited to the duration of the associated works, it should be permitted, subject to reasonable conditions. General conditions 5.7.2(i) requires all work to be contained in the CMA which may not be the best practicable method.</p>	<p>Amend Rule R154 to provide for temporary damming of coastal water as a permitted activity (subject to reasonable conditions). Remove the requirement for all work to be contained in the CMA from general condition 5.7.2(i).</p>
<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council, c/- Tonkin & Taylor Limited, PO Box 2083, Wellington 6140</p>	S85	Support	S85/063 Rule R197 : Motor vehicles for certain purposes - permitted activity	<p>The rule should be extended to include motor vehicle use for the protection of regionally significant infrastructure, as well as its upgrade, maintenance and upgrade.</p>	<p>Amend Rule R197 to provide for 'works for the protection' of regionally significant infrastructure</p>
<p>Porirua City Council, PO Box 50-218 16 Cobham Court, Porirua 5240</p>	S163	Support	S163/154. Method M15 : Regional stormwater working group	<p>Developers need to be included in discussions about new development areas and provisions of stormwater or alternatives such as water sensitive design.</p>	<p>Add a new method to the effect: "Integration with local authorities and developers in planning for stormwater management within overlay areas" "Wellington Regional Council will work with territorial local authorities in considering stormwater management for future development proposals within urban growth planning overlay areas as part of comprehensive development plan approvals for such development."</p>

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Federated Farmers of New Zealand, PO Box 715 Wellington 6140	S352	Support	S352/247. Method M17: Reduce waste and use water and energy efficiently	Industry needs to be involved in water efficiency and conservation.	Wellington Regional Council will work with city and district councils and industry to reduce waste and encourage...
Wellington City Council, PO Box 2199 Wellington, 6140	S286	Support	S286/028. Schedule F1: Rivers and lakes with significant indigenous ecosystems	The Wellington City urban stormwater system consists of sections of open stream and piped sections. It is not clear how the policy approach of 'protect and restore' and 'avoid, remedy, mitigate or offset' applies to the piped sections and what the implication of this is for the watercourse as a whole.	Clarify how the policy approach of 'protect and restore' and 'avoid, remedy, mitigate or offset' applies to piped sections of Schedule F1 streams.
Wellington City Council, PO Box 2199 Wellington, 6140	S286	Support	S286/029. Schedule F1: Rivers and lakes with significant indigenous ecosystems	The Wellington City urban stormwater system consists of sections of open stream and piped sections. It is not clear how this approach can be applied to the piped sections and what the implication of this is for the watercourse as a whole.	Amend the policy framework to acknowledge the difference between piped and natural streams in Schedule F1.
Hutt City Council, 531 High Street, Private Bag 31912, Lower Hutt 5040	S84/010	Support	S84/010. Schedule F2c: Habitats for indigenous birds in the coastal marine area	Identification of significance to birds appears to be based on sightings not actual value to the birds. Sightings are likely to be greater where there is public access and visibility by the public such as Wellington harbour.	Use a scientifically robust method for identification of areas of significance to birds, that recognises the actual value of the sites.
Centreport Ltd, PO Box 794, Hinemoa Street, Wellington 6140	S121/146	Oppose	S121/146. Map 30: Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson)	The aquifer could be in this area. GWRC has or should have the science to clearly delineate the extent of the aquifer. Until that is clarified, we take a precautionary	Disallow this submission point S121/146 and retain Map 30 as notified. Do not amend Map 30 to remove the Lambton Harbour Area (Northern Zone) from the extent of the Aquifer as requested.

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				<p>approach because the potential adverse effects on the aquifer are great.</p>	

