

FORM 5

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE 1 TO  
THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

Part 1, Clause 6 of Schedule 1, Resource Management Act 1991

To Greater Wellington Regional Council  
Environmental Policy  
PO Box 11646  
Manners Street  
Wellington 6142

**Name: Wellington International Airport Limited (“WIAL”)**

- 1. This is a submission on the Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region (“Proposed NRP”).**
- 2. WIAL could not gain an advantage in trade competition through this submission.**
- 3. The specific provisions of the proposal that this submission relates to are:**
  - 3.1 Chapter 2 – Interpretation
  - 3.2 Chapter 3 – Objectives
  - 3.3 Chapter 4 – Policies
  - 3.4 Chapter 5.1 – Air quality rules
  - 3.5 Chapter 5.2 and 5.3 – Discharges to land and water and Land use rules
  - 3.6 Chapter 8 – Whaitua Te Whanganui-a-Tara
  - 3.7 Chapter 12 – Schedules
  - 3.8 Appendix 1: Provisions that no longer apply to Whaitua Te Whanganui-a-Tara
  - 3.9 Planning Maps
  - 3.10 Any other matter or related matter referred to in **Annexure A** or this covering submission.  
This covering submission should be read alongside **Annexure A**.

**4. WIAL’s submission is:**

**Overview of Wellington International Airport**

- 4.1 WIAL operates the regionally and nationally significant Wellington International Airport (“**Wellington Airport**” or “**the Airport**”).
- 4.2 Wellington Airport plays a fundamental role in the city, region and country’s social and economic wellbeing. The Airport accommodates aircraft movements associated with scheduled, general aviation operations, for domestic and international flights, corporate jets, the New Zealand Defence Force, and Life Flight emergency helicopters. The Airport provides an important national and international transport link for the local, regional and international community and has a major influence on the regional and national economy. The Airport is also a provider of airfield emergency services and is a lifeline utility under the Civil Defence Emergency Management Act 2002 (“**CDEM 2002**”).
- 4.3 Wellington Airport is one of the busiest airports in New Zealand, and prior to Covid-19, accommodated in excess of 6.4 million passengers in the year ending March 2019 (FY19). It is a gateway for residents, visitors and business travellers, connecting the capital city to all parts of New Zealand, to Australia, the Pacific, and onwards to the rest of the world. The Airport is also a generator of economic growth, providing significant direct business and employment opportunities on-site and indirect economic benefits to the city and the wider Wellington region.
- 4.4 In the latest financial year (FY23) traffic recovered to 85% of pre-pandemic levels (FY20), and during the first half of FY24 to 84% (recovery being temporarily impacted by aircraft engine issues), with latest projections anticipating a full recovery around FY26. Beyond FY26, pre-pandemic levels of growth are predicted to continue as required to support the forecast growth in population and economic activity in the Wellington region.
- 4.5 Wellington Airport is managed by WIAL. WIAL is a network utility operator and a requiring authority under section 166 of the Resource Management Act 1991 (“**the RMA**” or “**the Act**”). The Airport is the subject of a number of designations under the Operative and Proposed Wellington City Plans, including:
- 4.5.1 A Runway end protection area designation (to be uplifted);
  - 4.5.2 An Airport Purposes designation over the former Miramar School site;
  - 4.5.3 An Airport Purposes designation over the main Airport site;
  - 4.5.4 An Airport Purposes designation over the southern portion of the Miramar Golf Club site; and
  - 4.5.5 A designation to protect the airspace in the vicinity of the Airport.

- 4.6 Designations prevail over the underlying land use zone and therefore do not require a resource consent or plan change to enable activities to occur that are consistent with the purpose of the designation.

**Wellington Airport as a significant infrastructure provider**

- 4.7 Wellington Airport comprises regionally and nationally significant infrastructure.
- 4.8 It is therefore appropriate that the Proposed NRP continues to recognise the importance of the Airport in providing for the social, economic and cultural wellbeing of people and communities.
- 4.9 Functional, technical, operational and safety related constraints often influence the location of important infrastructure, such as airports. In the case of Wellington Airport, given the lack of suitable alternative locations, providing for the ongoing operation, development and growth of Wellington Airport in its current location and safeguarding the Airport's obstacle limitation surfaces and aircraft noise boundaries to ensure effective and efficient airport operations is therefore of regional and national significance.

**WIAL as a lifeline utility operator**

- 4.10 WIAL is a lifeline utility operator under the CDEM 2002 in respect of its operation of Wellington Airport. In the event of a significant earthquake or other hazard event, the Airport is recognised as potentially the only link between the city and the rest of the country given the vulnerability of the road and rail network, and the potential for the port and harbour access to be affected by liquefaction. This further emphasises why it is important to appropriately recognise and provide for Wellington Airport's ongoing operation and development.

**Wellington Airport as a facilitator of economic growth and wellbeing**

- 4.11 Wellington Airport serves an important role in facilitating the movement of people and goods, which in turn feeds the region's economy. Wellington Airport is the primary arrival and departure port for many visitors to the region.
- 4.12 For the year ending March 2020, Wellington Airport accommodated 6.1 million passengers, with the last few months of the year impacted by the initial phase of the Covid-19 pandemic. Despite passengers reducing to just under 3 million passengers the following year, recovery since has been strong with traffic back to 84% of pre-pandemic levels for April-October 2023 and the current expectation that restoration to FY20 levels will occur around FY26. Growth projections beyond FY26 have indicated that passenger growth is set to continue, with almost 8 million passengers projected early in the next decade (FY33) at an average growth rate of 3.2% per year.
- 4.13 Wellington Airport makes a significant contribution to the Wellington region's economy. Prior to the Covid-19 pandemic, for the year ending March 2020, it was estimated that

Wellington Airport contributed approximately \$2.3 billion to the region's economy, with pre-pandemic growth projections indicating this would double to \$4.3 billion per year by 2040, generating \$2.1 billion of GDP and facilitating more than 22,000 additional jobs.<sup>1</sup> The ongoing operation and development of the Airport is therefore of significant importance to the economic wellbeing of the community and the associated employment opportunities that accrue.

- 4.14 The Airport also facilitates social connectivity and wellbeing. The demand for air travel is often driven by a need or desire to visit family and friends, take vacations, participate in sporting or cultural activities, do business, and/or take part in educational opportunities. Because Wellington Airport is such a significant contributor to the region's social and economic wellbeing, the ongoing ability of Wellington Airport to function and grow without undue constraint is therefore of significant importance to the Wellington region.

### **Freshwater Management**

- 4.15 There are a number of new freshwater related objectives and policies within the Proposed NRP which seek to give effect to the National Policy Statement for Freshwater Management 2020 ("NPSFM"). Some of the provisions however also refer to the coastal marine area / coastal environment. WIAL is concerned that this will result in the management of the coastal resources in a way that is inconsistent with the New Zealand Coastal Policy Statement ("NZCPS") and the remaining sections of the Operative NRP which are not subject to the Proposed NRP. It will also apply freshwater management concepts to the coastal marine area and the coastal environment which is not appropriate.
- 4.16 WIAL's preference is for any reference to the coastal marine area to be deleted from those provisions which seek to directly give effect to the NPSFM. Without derogating from its primary position, WIAL has recommended a number of changes to the provisions that if accepted, will be generally acceptable to WIAL despite not being necessary under the NPSFM.

### **Indigenous Ecosystems**

- 4.17 The Proposed NRP includes changes to:
- 4.17.1 Schedule F2(c) Significant habitats for indigenous birds in the coastal marine area;
  - 4.17.2 Schedule F4 Sites of significant indigenous biodiversity values in the coastal marine area; and
  - 4.17.3 Schedule F5 Habitats with significant indigenous biodiversity values in the coastal marine area.

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<sup>1</sup> Wellington Airport Annual Review, 2020.



- 4.18 These changes are in light of further investigations that have occurred since the Operative NRP was notified in 2015.
- 4.19 In principle, WIAL does not oppose these amendments and understands that a consenting pathway remains available through the operative NRP provisions for regionally significant infrastructure (such as the Airport) to continue to operate in these areas. This pathway follows the general structure of Policy 11 of the NZCPS. Provided this pathway remains available to WIAL, which periodically has to undertake works in Lyall and Evans Bay, WIAL supports the identification of the additional scheduled items (namely Horse mussels and Adamsiella beds within Evans Bay), subject to the identification of these particular features being accurately identified and mapped.

#### **Unplanned Greenfield Development**

- 4.20 The Proposed NRP introduces new requirements around the development and use of unplanned greenfield development areas. Such areas have been mapped in the Proposed NRP and generally include (insofar as relevant the Airport) areas of Open Space land use zoning in the Wellington City District Plan. The section 32 evaluation cites that any development of these areas is effectively prohibited in order to enable a future regional plan change to be considered alongside a change to the district plan to facilitate urban development.
- 4.21 WIAL has significant concerns with this approach and considers that a much more sophisticated approach is required. Notably:
- 4.21.1 It is unclear whether the term “unplanned greenfield development” and associated terms would include activities undertaken in relation to regionally significant infrastructure, such as the Airport.
  - 4.21.2 Prohibiting development based on underlying land use zoning does not recognise or account for the ability for requiring authorities to utilise a designation which applies irrespective of the underlying land use zone.
  - 4.21.3 Related to the above, most district plans include rules relating to network utilities. Similar to designations, these apply irrespective of the underlying land use zone.
  - 4.21.4 The strong policy directive to prohibit unplanned greenfield development could be used as the rationale for declining resource consent or recommending the withdrawal of a notice of requirement for nationally and regionally significant infrastructure projects.
  - 4.21.5 WIAL has a number of development projects proposed in Open Space zoned land in the early phase of technical reporting prior to consent lodgement. The proposed new “unplanned greenfield development” provisions will potentially curtail these

activities from progressing, despite the significant benefits that will accrue. At a high level, two of these projects include:

4.21.5.1 The Southern and Western Seawall Renewal. The Southern and Western Seawalls surrounding Wellington Airport are reaching the end of their design life and are becoming increasingly prone to damage during severe weather events. The renewal project will likely result in the seawall being replaced between Lyall Bay and Moa Point, providing not only ongoing protection for the Airport, but also the road, wastewater network and other services located on the lee side of the wall.

4.21.5.2 The Lyall Bay Community Precinct. This project involves the development of a small commercial offering on the northern side of Lyall Bay, which is coupled with boardwalks, viewing platforms and restoration of indigenous vegetation.

4.22 For the reasons identified above and in **Annexure A**, the approach to unplanned greenfield development warrants significant rework to ensure that regionally significant infrastructure providers can continue to meet the needs of the region's community.

#### **Stormwater Management at Wellington Airport**

4.23 Earlier this year, WIAL secured a site wide stormwater discharge permit which provides for all stormwater discharges from activities and areas within the Airport boundary. There are two discharge types – activities undertaken at the Airport and its operators that enter the Airport stormwater assets that discharge to the coastal marine area (Catchments 4 and 5) and discharges from within the Airport boundary which discharge to the local network before being discharged to the coastal marine area (Catchments 1 to 3). The catchment areas are shown in Figure 1 below. As can be seen, Catchment 4 also includes stormwater discharges from the surrounding Strathmore Park residential area.

4.24 As part of the resource consent process, WIAL has prepared a comprehensive stormwater management plan ("**SMP**"). The overall objective of the SMP is to minimise the adverse effects from stormwater discharges and for the discharge quality from WIAL's stormwater assets to progressively improve over time. The SMP sets out a number of actions that will be taken to achieve this outcome, including (but not limited to):

4.24.1 The various approaches WIAL and its contractors will undertake to minimise actual and potential adverse effects of stormwater discharges;

4.24.2 Interim triggers (during baseline monitoring) and contingency actions to be implemented in the event triggers are met or exceeded;

4.24.3 WIAL's monitoring requirements, and notification and reporting requirements if adverse monitoring results are found;

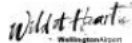
- 4.24.4 Mechanisms for review of the SMP if redevelopment or changes to activities on site change the risk profile of discharges from the site; and
- 4.24.5 Feedback and information sharing mechanisms with key stakeholders Wellington Water Limited and mana whenua.
- 4.25 Based on the monitoring that has occurred to date, WIAL's discharges are within the acceptable ranges identified in the consent. WIAL anticipates that over time, these results will continue to show improvements as WIAL implements a gradual programme of water quality and stormwater management improvements on site.
- 4.26 The above stormwater discharge permit was granted under Rule R54 of the Operative NRP. This "one stop" rule is effective in that it encourages WIAL to actively manage its stormwater discharges in an integrated and comprehensive way.
- 4.27 WIAL therefore supports the retention of the Operative approach in the Proposed NRP and considers that further amendments are required to various rules within the Proposed NRP to reflect the Operative NRP approach.



Legend

- WDC GIS Stormwater nodes
- WDC GIS Stormwater Pipes
- Catchment 1
- Catchment 2
- Catchment 3
- Catchment 4
- Catchment 5

Paper Size A4  
 0 40 80 160 240 320  
 Metres  
 Map Projection: Transverse Mercator  
 Horizontal Datum: NZGD 2000  
 Grid: NZGD 2000 New Zealand Transverse Mercator



WIAL  
 Wellington International Airport  
 High level Stormwater Capacity Check

Job Number 51-34552  
 Revision A  
 Date 25 May 2017

Figure 1

Figure 1: Stormwater Catchments

## **Earthworks**

- 4.28 WIAL was actively involved in the promulgation of the operative NRP, which was only made operative earlier this year. This included participating in mediation where earthworks provisions were canvassed at length and resolution reached via mediation agreement. Given the work and collaboration between a range of parties, WIAL is disappointed to see these provisions being relitigated within the same year the NRP was made operative.
- 4.29 WIAL undertakes regular maintenance and repair of the roads, runways, taxiways and aprons at the Airport to ensure their safety and functionality is maintained. In order to facilitate the ongoing and timely maintenance and repair of these assets, WIAL considers that such earthworks at Wellington Airport should be excluded from the proposed new earthworks provisions. In the absence of this change, WIAL will be subject to an inefficient and unnecessary consenting burden for activities that form part of its ongoing operational requirements.
- 4.30 WIAL also opposes the winter shutdown provisions in the Proposed NRP. The new framework for such activities fails to provide a consenting pathway for large scale infrastructure projects that often span months to years in duration. Effectively prohibiting earthworks for a four month period will add significant cost and time to infrastructure projects undertaken by WIAL and likely other infrastructure providers. The blunt approach also fails to recognise that some earthworks activities must avoid certain breeding, spawning or nesting periods if significant indigenous fauna are located on site. When such constraints are combined with the policy directive to avoid the period of 1 June to 30 September, projects may become entirely unworkable. This will significantly constrain infrastructure providers ability to meet the ongoing needs of the community.

## **Financial Contributions**

- 4.31 The Proposed NRP introduces new requirements for financial contributions to offset “residual effects” arising from stormwater discharges.
- 4.32 The operational and functional requirements of some regionally significant infrastructure, such as airports, necessitate large areas of impermeable surfaces. Stormwater management systems are typically included in the design of such areas and through the resource consent process, measures are put in place to ensure the effects of such discharges are appropriately managed.
- 4.33 As set out in paragraphs 4.29 to 4.32 above, WIAL has recently secured a site wide stormwater discharge permit. As part of that process, it was recognised that the management measures proposed by WIAL were sufficient to ensure the effects of its discharges on the surrounding environment were no more than minor. Through the gradual improvement of WIAL’s stormwater discharge quality, it is anticipated that these effects will further reduce over time.

- 4.34 Given the measures being implemented by WIAL and its contribution to reducing the overall effect it is having on (ultimately) coastal water quality, it does not seem reasonable or equitable to require financial contributions for any “residual effect”. The RMA is not a “no effects” statute, and the resource consent process has identified that the residual effects are acceptable. Furthermore, proposed Schedule 30 (which provides details on how the financial contributions will be calculated) suggests, based on the purpose section, that they will be “... utilised to fund and construct new, or upgrade existing, catchment scale stormwater treatment systems servicing existing urban development...”. The contribution is therefore payable for an effect that does not necessarily arise as a result of the activity that resource consent is being sought for. This is inappropriate and unlawful.
- 4.35 For the above reasons, and those set out in **Annexure A**, WIAL opposes the proposed introduction of financial contributions and considers they should be deleted in their entirety.

#### **Plan Change 1 to the Regional Policy Statement**

- 4.36 In August 2022, Greater Wellington Regional Council (“**GWRC**”) notified Plan Change 1 to the Regional Policy Statement. The hearing of submissions on the Proposed Regional Policy Statement (“**Proposed RPS**”) are well advanced and set to continue early into 2024.
- 4.37 The provisions with the Proposed RPS are cited within the section 32 evaluation as rationale for many of the changes being proposed as part of the Proposed NRP. As with any RMA process, care needs to be given to the weighting provided to such provisions when they have yet to go through the formal decision making process. WIAL therefore considers that it would be prudent for the GWRC to postpone any hearings on the Proposed NRP until such a time that decisions on the Proposed RPS are issued and any appeals resolved.

#### **Overarching Comments/ Requests**

- 4.38 As notified, the Proposed NRP was unduly complex and difficult to follow. WIAL requests that GWRC issue a tracked change version of the Proposed NRP, both electronic and hard copy, prior to any directions requiring the preparation of s42A reports and evidence to ensure that it is clear which provisions are changing, where and how they sit within the wider context of the Operative NRP. This should include, as anticipated by the New Zealand Planning Standards, appropriate links to cross reference rules or provisions, or other documents. The plan change document should also be reformatted to provide appropriate links and a contents page.
- 4.39 The numbering of the schedules used in the Proposed NRP also gives rise to potential confusion. The Operative NRP refers to Schedules A to Z, however the Proposed NRP refer to Schedules 27 to 34. WIAL therefore assumes that Schedules A to Z will be renumbered 1 to 26, or Schedules 27 to 34 will be alphanumerically numbered. In addition



to the specific relief sought by WIAL with respect to Schedules F(2), F(4), 29 and 30 (as detailed in **Annexure A**), WIAL also opposes the schedules to the extent that it is not clear what comprises Schedules 1 to 26.

### **Conclusion**

4.39 WIAL considers that in the absence of amendments to the Proposed NRP to address and give effect to the above submission points and those set out in **Annexure A**:

4.39.1 The Proposal will not promote the sustainable management or efficient use and development of natural and physical resources;

4.39.2 The Proposal is not the most appropriate way to achieve the purpose of the RMA, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;

4.39.3 The Proposal does not appropriately fulfil the requirements of section 32 of the RMA, particularly in terms of evaluation the costs of implementing the provisions under section 32(2)(a); and

4.39.4 The Proposal does not represent sound resource management practice particularly with respect to planning for Wellington Airport, as regionally significant infrastructure.

### **5. WIAL seeks the following decision from the local authority:**

5.1 That the submission points contained in Section 4 above and **Annexure A**, which is attached to and forms part of this submission be accepted, or that the Proposed NRP be amended in a similar or such other way as may be appropriate to address WIAL's submission points; and

5.2 Any alternative, consequential changes (including to objectives, policies, methods and anticipated environmental results or other provisions), amendments or decisions that may be required to give effect to the matters raised in WIAL's submission.

5.3 Where any submission point seeks to amend a provision, should that relief not be granted, then WIAL seeks to delete that provision and revert to the Operative NRP. This relief is also sought to preserve scope so that the most appropriate provision can be the subject of any recommendation or decision via the hearings process.

### **6 WIAL wishes to be heard in support of its submission.**

**7 If others make a similar submission, WIAL will consider presenting a joint case with them at a hearing.**

Signature:



Jo Lester, Planning Manager,  
Wellington International Airport Limited

Date:

14 December 2023

Electronic address for Service: [kirsty.osullivan@mitchelldaysh.co.nz](mailto:kirsty.osullivan@mitchelldaysh.co.nz)

Telephone: 021 242 5453

Postal address (or alternative method of service under section 352 of the Act):

Mitchell Daysh Limited

PO Box 489

Dunedin 9054

Contact person: Kirsty O'Sullivan



**ANNEXURE A – Wellington International Airport Limited submissions on Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region**

*Text highlighted with underlining (example) represents proposed insertions. For the purposes of WIAL's requested amendments, these have been tracked over the Proposed NRP provisions.*

*Text highlighted with strikethrough (~~example~~) represents proposed deletions*

*\* denotes a FW planning provision.*

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<b>Definitions</b>			
<p><b><u>Coastal water management unit</u></b></p> <p><u>Coastal water management units are for:</u></p> <p>---</p> <p>(b) <u>Wha tua Te Whanganu -a-Tara:</u></p> <p>(i) <u>Te Whanganu -a-Tara harbour and estuaries shown on Map 83</u></p> <p>(j) <u>Mākara Estuary shown on Map 83</u></p> <p>(k) <u>Wanūomata Estuary shown on Map 83</u></p> <p>(v) <u>Wa Ta a coastal areas not within (i) to (k)</u></p>	Oppose in part	<p>To ensure consistent interpretation and application of the objectives, policies and rules as they relate to Wha tua Te Whanganu -a-Tara, Wellington International Airport Limited (“WIAL”) considers a new map should be included in Plan Change 1 to the Natural Resource Plan (“the Proposed Plan”) which clearly delineates the boundaries of each Wha tua, including both coastal and inland areas.</p>	<p>insert a new planning map that clearly defines Wha tua Te Whanganu -a-Tara, including both the coastal and inland areas.</p>
<p><b>Earthworks</b></p> <p><u>For Wha tua Te Whanganu -a-Tara and Te Awarua-o-Porua Wha tua on y:</u></p> <p><u>The alteration or disturbance of and, including by moving, removing, placing, building, cutting, contouring, filling or excavating earth (or any matter constituting the and including soil, clay, sand and rock); but excludes gardening, cutting, and disturbance of and for the installation of fence posts. Except that, for the purposes of Rules WH.R20, WH.R21 and P.R19, P.R20, ‘earthworks’ has the same meaning as given in section 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</u></p> <p><u>For a other wha tua:</u></p> <p>The disturbance of a and surface from the time so first disturbed on a site until the time the site is stabilised. Earthworks includes building, contouring, ripping, moving, removing, placing or replacing soil or earth, by excavating, or by cutting or filling operations, or by root raking.</p> <p>Earthworks do not include:</p> <p>(a) ...</p> <p>(b) ...</p> <p>(c) ...</p> <p>(d) ...</p> <p>(e) ...</p> <p>(f) ...</p>	Oppose	<p>WAL undertakes regular maintenance and repair of the roads, runways, taxiways and aprons at Wellington International Airport (“the Airport”) to ensure the safety and functionality is maintained.</p> <p>WAL was actively involved in the development of the Operative Natural Resources Plan 2023 (“the Operative NRP”) and successfully secured an exclusion from the earthworks definition of activities relating to the repair or maintenance of existing roads and tracks, airfield runways, taxiways and parking aprons for aircraft.</p> <p>In order to facilitate the ongoing and timely maintenance and repair of these assets, WAL considers that this exclusion should be included in the proposed new earthworks definition. In the absence of this change, WAL will be subject to an inefficient and unnecessary consenting burden for activities that form part of its ongoing operational requirements.</p> <p>Furthermore, WAL actively manages all earthworks undertaken at the airport due to the potentially significant effects that poorly managed earthworks can have on aircraft operations and safety. Often the requirements imposed by WAL (on its contractors) are more stringent than those imposed by any Council obligations.</p>	<p>Retain the operative definition of earthworks insofar as it relates to the Airport or exclude the repair or maintenance of existing roads and tracks, airfield runways, taxiways and parking aprons for aircraft at the Airport from the earthworks definition for Wha tua Te Whanganu -a-Tara.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
(g) ...			
(h) ...			
(i) Discharge of certain material to a certain area			
<p><b>High risk industrial or trade premise</b></p> <p><u>An industrial or trade premise that stores, uses or generates contaminants or hazardous substances on-site that are exposed to rain and could become entrained in stormwater. Activities that may occur at these premises could include:</u></p> <ul style="list-style-type: none"> <li>&gt; boat construction and maintenance</li> <li>&gt; commercial cement, concrete or lime manufacturing or storage</li> <li>&gt; chemical manufacture, formulation or bulk storage, recovery, processing or recycling</li> <li>&gt; fertilizer manufacture or bulk storage</li> <li>&gt; storage of hazardous wastes including waste dumps or dumpsites associated with mining activities</li> <li>&gt; petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials.</li> <li>&gt; scrap yards including automotive dismantling, wrecking or scrap metal yards</li> <li>&gt; wood treatment or preservation, or bulk storage of treated timber</li> <li>&gt; mineral extraction, refining and reprocessing, storage, and use</li> <li>&gt; explosives and ordnance production, storage, and use</li> <li>&gt; electronics including commercial manufacturing, reconditioning, or recycling of computers, televisions, and other electronic devices</li> <li>&gt; waste recycling, treatment, and disposal</li> <li>&gt; engineering workshops with metal fabrication, or electroplaters</li> <li>&gt; power stations, substations, or switchyards.</li> </ul>	Oppose	Where elements of the activities undertaken at Wellington International Airport may fall within the definition of a "high risk industrial or trade premise", there are a report specific stormwater management rules within the operative and Proposed NRP. The Airport should therefore be excluded from this definition or the associated provisions relating to high risk industrial or trade premises to avoid unnecessary duplication of the methods that relate to high risk industrial or trade premises where located at the Airport.	Amend the definition to exclude Airport activities. Or delete and revert to Operative NRP.
<p><b>Impervious Surfaces</b></p> <p><u>Surfaces that prevent or significantly impede the infiltration of stormwater into soil or the ground, includes:</u></p> <ul style="list-style-type: none"> <li>• Roofs</li> </ul>	Oppose	Where elements of the activities undertaken at Wellington International Airport may fall within the definition of "impervious surfaces", there are a report specific stormwater management rules within the operative and Proposed NRP (i.e. WH.P12 and WH.R8). The Airport should therefore be excluded from this definition to avoid unnecessary duplication of the methods that relate to impervious surfaces where located at the Airport.	Amend the definition to exclude the Airport. Or delete and revert to Operative NRP.

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<ul style="list-style-type: none"> <li><u>Paved areas (including sealed/compacted meta) such as roads, driveways, parking areas, sidewalks/foot paths or patios,</u></li> </ul> <p>And excudes:</p> <ul style="list-style-type: none"> <li><u>grassed areas, gardens and other vegetated areas</u></li> <li><u>porous or permeable paving</u></li> <li><u>sloped decks which allow water to drain through to a permeable surface</u></li> <li><u>porous or permeable paving and paving roofs</u></li> <li><u>roof areas with rainwater collection and reuse</u></li> <li><u>any impervious surfaces directed to a rain tank utilised for grey water reuse (permanently piped)</u></li> </ul>			
<p><b>Redevelopment</b></p> <p><u>For the purpose of assessment of a proposal involving the redevelopment of an existing urbanised property (i.e. brownfield development, upgrades to existing roads etc.) in relation to stormwater effects, this includes the replacement, reconstruction or addition (new) of impervious surfaces. Excudes:</u></p> <ul style="list-style-type: none"> <li><u>minor maintenance or repairs to roads, carparking areas, driveways and paving</u></li> <li><u>installation, maintenance or repair of underground infrastructure or network utilities requiring trenching and resurfacing</u></li> <li><u>activities that involve the re-roofing of existing buildings.</u></li> </ul>	Oppose	<p>It is not clear what is captured by the phrase of “existing urbanised property” and whether this is intended to apply to Wellington International Airport.</p> <p>Where elements of the activities undertaken at Wellington International Airport may fall within the definition of “redevelopment”, there are airport specific stormwater management rules within the operative and Proposed NRP (i.e. WH.P12 and WH.R8). The Airport should therefore be excluded from this definition to avoid unnecessary duplication of the methods that relate to redevelopment activities when undertaken at the Airport.</p> <p>Furthermore, and as set out later in this submission, WAL has a number of concerns with respect to the provisions relating to “greenfield development” (and associated terms). For the reasons expressed in those submissions on points (refer to Policy WH.P2 and WH.P14), activities at Wellington International Airport should be exempt from this definition.</p>	<p>Amend the definition to exclude the Airport.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Unplanned greenfield development</b></p> <p><u>Greenfield development within areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/nonurban/open space to urban) through a District Plan change to enable the development.</u></p> <p><u>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at the time of Plan Change 1 notification, 30th October 2023.</u></p>	Oppose	<p>It is not clear what is captured by the term “greenfield development” and whether this is intended to apply to the Airport when proposing or carrying out activities as a network utility operator and regional significant infrastructure provider under the District Plan provisions and/or under a designation.</p> <p>As set out later in this submission, WAL has a number of concerns with respect to the provisions relating to “greenfield development” (and associated terms). For the reasons expressed in those submissions on points (refer to Policy WH.P2 and WH.P14), activities at the Airport should be exempt from this definition.</p>	<p>Amend the definition to exclude the Airport and/or Network Utility Operators.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Whaitua</b></p> <p>A traditional term for a specific area. The Plan uses the term whaitua to describe a <u>group of catchments or sub-catchment</u> managed as an integrated system.</p> <p><u>There are five whaitua:</u></p> <ul style="list-style-type: none"> <li>&gt; <u>Ruamāhanga Whaitua</u></li> <li>&gt; <u>Whaitua Te Whanganu-a-Tara</u></li> </ul>	Oppose in part	<p>To ensure consistent interpretation and application of the objectives, policies and rules as they relate to Whaitua Te Whanganu-a-Tara, WAL considers a new map should be included in the Proposed NRP which clearly delineates the boundaries of each whaitua, including both coastal and inland areas.</p>	<p>Insert a new planning map which clearly delineates each of the whaitua, including both coastal and inland areas of each one.</p>



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<ul style="list-style-type: none"> <li>› <a href="#">Te Awarua-o-Porua Wha tua</a></li> <li>› <a href="#">Kāpiti Coast Wha tua</a></li> <li>› <a href="#">Waiparapa Coast Wha tua</a></li> </ul>			
<b>Chapter 8 Whaitua Te Whanganui-a-Tara</b>			
<b>8.1 Objectives</b>			
<p><b>Objective WH.01</b></p> <p><u>The health of a freshwater bodies and the coastal marine area with the Wha tua Te Whanganui-a-Tara's progressive improved and swa ora by 2100.</u></p> <p><u>Note</u></p> <p><u>in the wa ora state:</u></p> <ul style="list-style-type: none"> <li>› <u>Āhua (natural character) s restored and freshwater bodies exhibit the natural quality, rhythms, range of flows, form, hydrology and character</u></li> <li>› <u>A freshwater bodies have planted mangroves</u></li> <li>› <u>A freshwater bodies and coastal waters have healthy functioning ecosystems and the water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species</u></li> <li>› <u>Mahinga kai and ka moana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga</u></li> <li>› <u>Mana whenua are able to undertake customary practices at a range of places throughout the catchment.</u></li> </ul>	Oppose in part	<p>WAL supports the intent to improve the health of freshwater bodies and coastal marine area. WAL submits however, that "swa ora", as expressed in the objectives, cannot be achieved at the A report due to its operational and functional requirements. For example:</p> <ul style="list-style-type: none"> <li>› Protecting the seawall surrounding the A report's critical to the ongoing operation of the A report as well as many network utilities located within Moa Point Road. Reverting the coast to its "natural character" would therefore not be practicable in this location.</li> <li>› Similar to the above, restoration of freshwater bodies where located within the A report site will potentially affect the ongoing operation and development of the A report.</li> </ul> <p>Furthermore, higher order planning documents (such as the NPS-FM and the NPS-B) provide a path for specified infrastructure to undertake activities with freshwater bodies in accordance with the effects management hierarchy.</p> <p>In light of the above, WAL therefore considers that the objective to be swa ora by 2100 should be qualified rather than absolute.</p>	<p>Amend the Objective after reviewing the extent to which the objective should apply to sites containing critical infrastructure and whether such an objective is appropriate where it is so necessary to utilise natural and physical resources to meet the economic and social needs of Wellington's communities.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>*Objective WH.02</b></p> <p><u>The health and wellbeing of Te Whanganui-a-Tara's groundwater, rivers and natural wetlands and the mangroves are on a trajectory of measurable improvement towards swa ora, such that by 2040:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Water quality, habitats, water quantity and ecological processes are at a level where the state of aquatic life is maintained, or meaningful progress has been made towards improvement where degraded, and</u></li> <li>(b) <u>the hydrology of rivers and erosion processes, including bank stability are improved and sources of sediment are reduced to a more natural level, and</u></li> <li>(c) <u>the extent and condition of indigenous riparian vegetation is increased and improved, and</u></li> </ul>	Oppose in part	<p>WAL supports the general intention of this objective to ensure ongoing and measurable improvements in the health and wellbeing of groundwater, rivers and natural wetlands is achieved by 2040. As noted above however (with respect to Objective WH.01) there are practical difficulties with an absolute requirement for swa ora to be achieved.</p> <p>It is so important to recognise that the general trajectory required by Objective WH.02 is to be applied at a Wha tua or catchment wide level and that localised effects will not necessarily preclude the overall outcomes sought by Objective WH.02 from being achieved. In this regard, it is important to recognise that higher order planning documents (such as the NPS-FM and NPS-B) provide a path for specified infrastructure to undertake activities with freshwater bodies (such as rivers and wetlands).</p>	<p>Amend the objective to clarify that the reference to the health and wellbeing of Te Whanganui-a-Tara is at a broad, regional level (and thus recognising that there may be localised effects arising as a result of specified infrastructure undertaken activities in rivers and wetlands. Review the extent to which the objective should apply to sites containing critical infrastructure and amend accordingly. Review whether such an objective is appropriate where it is so necessary to utilise natural and physical resources to meet the economic and social needs of Wellington's communities and amend accordingly.</p> <p>Or delete and revert to Operative NRP.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(d) <u>the diversity, abundance, composition, structure and condition of mahinga ka species and communities are increased, and</u></p> <p>(e) <u>huanga of mahinga ka and Māori customary use for ocatons defined in Schedule B (Ngā Taonga Nui a Kōwhiri) are maintained or improved, and</u></p> <p>(f) <u>mana whenua can safely connect with freshwater and enjoy a wider range of customary and cultural practices, including mahinga ka gathering, and</u></p> <p>(g) <u>mana whenua and communities can safely connect with freshwater and enjoy a wider range of activities, including swimming and food gathering, and</u></p> <p>(h) <u>freshwater of a suitable quality is available for the health needs of people.</u></p>			
<p><b>Objective WH.O3</b></p> <p><u>The health and wellbeing of coastal water quality, ecosystems and habitats in Te Whanganui-a-Tara is maintained or improved to achieve the coastal water objectives set out in Table 8.1, and by 2040:</u></p> <p>(a) <u>sediment inputs into Mākara Estuary are reduced, and</u></p> <p>(b) <u>high contaminant concentrations, including around discharge points, are reduced, and</u></p> <p>(c) <u>diversity, abundance, composition, structure and condition of mahinga ka species and communities has increased, and</u></p> <p>(d) <u>huanga of mahinga ka and Māori customary use for ocatons defined in Schedule B (Ngā Taonga Nui a Kōwhiri) are maintained or improved, and</u></p> <p>(e) <u>the extent and condition of estuarine seagrass, saltmarsh and brackish water submerged macrophytes are increased and improved to support abundant and diverse biota, and</u></p> <p>(f) <u>coastal areas support healthy functioning ecosystems, and the water conditions and habitats support the presence, abundance, survival, and recovery of At-risk and Threatened species and taonga species, and</u></p> <p>(g) <u>mana whenua can safely connect with the coastal marine area and enjoy a wider range of customary and cultural practices, including mahinga ka gathering and tauranga waka, and</u></p>	Oppose in part	<p>WAL supports the general intention of this objective to maintain or improve coastal water quality, and the health and wellbeing of ecosystems and habitats.</p> <p>WAL is concerned however, that (g) and (h) do not recognise that for health and safety reasons (related to the operational requirements of ports and airports for example), it may not be appropriate to provide a physical connection to the coast.</p> <p>WAL is also not clear what is meant by the phrase “the health and wellbeing of coastal water quality” and considers the chapeau would be better articulated by relating the “health and wellbeing” component of the objective to ecosystems and health.</p>	<p>Amend the objective to recognise that physical access will not be appropriate in a situation.</p> <p>Amend the chapeau of the objective as follows:</p> <p><u>The health and wellbeing of the coastal water quality; and the health and wellbeing of ecosystems and habitats in Te Whanganui-a-Tara is maintained and improved to achieve ....”</u></p> <p>At an overall level, review the extent to which the objective should apply to sites containing critical infrastructure and amend accordingly. Review whether such an objective is appropriate where it is so necessary to utilise natural and physical resources to meet the economic and social needs of Wellington’s communities and amend accordingly.</p> <p>Or delete and revert to Operative NRP</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
(h) <u>mana whenua and communities can safely connect with the coastal marine area and enjoy a wider range of activities, including food gathering and swimming.</u>			
<b>Table 8.1</b>	Support	WAL supports the coastal water objectives set out in Table 8.1.	Retain as not fed.
<b>8.2 Policies</b>			
<b>8.2.1 Ecosystem health and water quality</b>			
<p><b>Policy WH.P1: Improvement of aquatic ecosystem health</b></p> <p><u>Aquatic ecosystem health will be improved by:</u></p> <p>(a) <u>progressively reducing the load or concentration of contaminants, particularly sediment, nutrients, pathogens and metals, entering water, and</u></p> <p>(b) <u>restoring habitats, and</u></p> <p>(c) <u>enhancing the natural flow regime of rivers and managing water flows and levees, including where there is interaction of flows between surface water and groundwater, and</u></p> <p>(d) <u>co-ordinating and prioritising work programmes in catchments that require changes to land use activities that impact on water.</u></p>	Oppose in part	<p>WAL generally supports the intention of this policy to improve aquatic ecosystem health.</p> <p>WAL is concerned however, that at an individual consent level, where endeavours are made to achieve (a) to (d), it may not always be practicable given the nature and scale of activities undertaken by regional significant infrastructure, such as airports.</p> <p>WAL submits that the policy requires further amendment to recognise the operational and functional requirements of regional significant infrastructure, consistent with Objective O9 of the NRP.</p>	<p>Review the extent to which the policy should apply to sites containing critical infrastructure. Review whether such a policy is appropriate where it is so necessary to utilise natural and physical resources to meet the economic and social needs of Wellington's communities.</p> <p>In the alternative, amend the policy to ensure it considers the extent to which (a) to (d) is practicable in the context of regional significant infrastructure. WAL submits that as currently drafted the policy will limit the ability of infrastructure providers in the region to meet the needs of the regional communities.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</b></p> <p><u>Target attribute states and coastal water objectives will be achieved by regulating discharges and land use activities in the Plan, and non-regulatory methods, including Freshwater Act on Plans, by:</u></p> <p>(a) <u>prohibiting unpermitted greenfield development and for other greenfield developments minimising the contaminants and requiring financial contributions as to offset adverse effects from residential stormwater contaminants, and</u></p> <p>(b) <u>encouraging redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and</u></p> <p>(c) <u>imposing hydrological controls on urban development and stormwater discharges to rivers</u></p> <p>(d) <u>requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</u></p> <p>(e) <u>stabilising stream banks by excudng livestock from waterbodies and planting riparian margins with indigenous vegetation, and</u></p>	Oppose	<p>Where WAL accepts that it is appropriate for discharges to be undertaken in accordance with national regulation and community aspirations, WAL submits that the proposed policy is unduly onerous and burdensome as discharges and land use management are concerned. More specifically:</p> <ul style="list-style-type: none"> <li>The chapeau of the policy needs to clarify that the target attribute states apply to freshwater only where the coastal water objectives apply to coastal water.</li> <li>Where "unpermitted greenfield development" is defined in the Proposed NRP, the definition makes reference to the undefined term "greenfield development" and "other greenfield development". Given the prohibition of such development, certainty is required around what is / is not captured by this policy.</li> <li>It is not clear whether (a) would extend to infrastructure (such as Wellington Airport) or one-off developments for which resource consent can be sought. This is of significant concern to WAL, noting: <ul style="list-style-type: none"> <li>WAL is in the early phase of preparing resource consents to replace the seawalls located to the south and west of Wellington International Airport. These areas are currently zoned Open Space Zone and are identified as unpermitted greenfield areas in the Proposed NRP, therefore effectively prohibiting the seawalls from being replaced. Given the infrequent nature of such works, rezoning the Open Space zoned land would be inefficient and could result in perverse outcomes (i.e. through upzoning the land from Open Space to Airport for example).</li> <li>WAL, like other infrastructure providers, often uses mechanisms like designations to provide for the respective network utility function. Such mechanisms can be established over any land use zone, without the need</li> </ul> </li> </ul>	<p>Substantively amend the policy to address the issues raised.</p> <p>Or delete and revert to Operative NRP.</p>



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
(f) <u>requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</u>		for a plan change. If (a) were to apply to designations, it would render what is a well-established and used too under the RMA nugatory.	
(g) <u>so conservation treatment, including revegetation with woody vegetation, of and with high erosion risk, and</u>		<ul style="list-style-type: none"> <li>WAL is proposing to establish a small community precinct within an area of Open Space zoned and on Lya Parade. The activity would include public viewing areas, boardwalks, a small commercial offering and enhancement plantings in an area that is currently underused and unkempt and comprises of a combination of building rubble and tussock. Resource consent is required for this activity despite the activity being consistent with and complementary to the underlying and use zone. This proposal would effectively be prohibited under (a), despite the positive outcomes, including for the indigenous vegetation on site.</li> </ul>	
(h) <u>requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</u>		<ul style="list-style-type: none"> <li>It is not clear what methods within the plan "encourage" redevelopment of existing urban areas.</li> <li>It is not clear whether mb (c) relates to urban development which gives rise to stormwater discharges not otherwise discharging to rivers.</li> </ul>	

### 8.2.1 Discharges to water

#### **Policy WH.P5: Localised adverse effects of point source discharge**

Support

The intent of this policy is generally consistent with restrictions on the grant of certain discharges under section 107 of the RMA.

Retain as not fed.

The localised adverse effects of point source discharges to freshwater and coastal water beyond the zone of reasonable management or minimum sediment, including by avoidance of:

- (a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
- (b) any conspicuous change in colour or visibility, or
- (c) any emission of objectionable odour, or
- (d) the rendering of freshwater unsuitable for consumption by farm animals, or
- (e) any significant adverse effects on aquatic life, including through:
  - . change in temperature, or
  - . reduced dissolved oxygen in surface water bodies, or
  - . increased toxicity effects.

#### **Policy WH.P6: Cumulative adverse effects of point source discharges**

Oppose in part

WAL supports the general intent of this policy to ensure that the adverse effects of cumulative point source discharges are gradually improved over time. The policy is drafted in a problematic way in that it requires avoidance of cumulative adverse effects and then subsequently, for a range of other outcomes to be achieved, which are seemingly less than the outright avoidance "standard" imposed by the policy at the outset.

Amend the policy as follows:

*The cumulative adverse effects of point source discharges, excluding stormwater network and wastewater discharges, to water are ~~avoided and managed such that:~~*

*And redraft the subsequent part of the policy to properly link with the chapeau.*

*Or delete and revert to Operative NRP.*

- (a) any new discharge is appropriate if contaminants in the discharge would cause the affected freshwater body to decline in relation to the target attribute state(s) for that part Freshwater



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><u>Management Un t(s) and/or coasta water ob ect ve(s), and</u></p> <p>(b) <u>a ex st ng d scharges n part Freshwater Management Un ts or coasta water management un ts where the target attr bute states and/or coasta water ob ect ves are met are on y appropri ate f:</u></p> <p>( ) <u>at a m n mum, an app cat on for a resource consent nc udes a def ned programme of work for upgrad ng the d scharge, n accordance w th good management pract ce, w th n the term of the resource consent, and</u></p> <p>(c) <u>a ex st ng d scharges n part Freshwater Management Un ts or coasta water management un ts where the target attr bute states and/or coasta water ob ect ves are not met are on y appropri ate f:</u></p> <p>( ) <u>the cond t ons on a resource consent requ re reduct on of the adverse effects and mprove the d scharge at a eve consent w th the degree of over a ocat on requ red to be reduced w th n that part Freshwater Management Un t and/or the coasta water management un t, and</u></p> <p>( ) <u>n determ ng the mprovement to water qua ty requ red n ( ), and the t meframe n wh ch t s to be ach eved, cons derat on w be g ven to the d scharge's contr but on to the target attr bute state(s) for that part Freshwater Management Un t and/or coasta water ob ect ve not be ng met.</u></p>			
<p><b><u>Policy WH.P8: Avoiding discharges of specific products and waste</u></b></p> <p><u>Avo d d scharges to freshwater and coasta water, nc ud ng where th s s v a the stormwater network, of:</u></p> <p>(a) <u>chem ca cean ng products, pa nt, so vents, fue s and coo ant, o , wet cement products and dr coo ng water, or</u></p> <p>(b) <u>an ma eff uent from an an ma eff uent storage fac ty or from an area where an ma s are conf ned, or</u></p> <p>(c) <u>untreated ndustr a or trade waste, or</u></p> <p>(d) <u>untreated organ c waste or eachate from storage of organ c mater a.</u></p>	Oppose	<p>There are nstances where d scharges assoc ated w th the act v t es sted n (a) to (d) may occur at the A rport for the purpose of ensur ng safe a rport operat ons and emergency read ness. WAL seeks to manage these act v t es n a way that m n m ses the potent a effects on the rece v ng env ronment, wh ch has recent y been approved by GWRC through the grant ng of a s te w de stormwater d scharge perm t.</p> <p>Some examp es of act v t es w th n (a) to (d) that present operat ona d ff cu t es for WAL nc ude:</p> <ul style="list-style-type: none"> <li>➤ the use of chem ca s to f n sh the cean ng process for any acc denta fue sp s on s te, nc ud ng the use of chem ca s to suppress / stop the poss b ty of res dua fue gn t ng or corrod ng the tarmac.</li> <li>➤ The use of chem ca s to ma nta n the protect ve coat ng on veh ces (Fre Rescue), not ng that corros on of veh ces has been observed due to the sa t spray where water has been used as the pr mary cean ng agent. Wh e WAL s work ng to deve op wash bays, th s w take t me and s not an mmed ate so ut on.</li> <li>➤ The use of de- c ng f u ds wh ch enab e a rcraft to operate safely n co d temperatures.</li> </ul>	Prov de a d screte exempt on for We ngton nternat ona A rport, g ven these act v t es can be managed through other means (as s ev denced by the ssu ng of a s te w de d scharge perm t). Or de ete and revert to Operat ve NRP.

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
		<ul style="list-style-type: none"> <li>› Pa nt ng of a r f e d s gns, pavements and hydrants.</li> <li>› Other d scharges wh ch may not be captured by th s ru e, nc ud ng the use of c ass B foams and dry chem ca powders (for f re f ght ng purposes), acc denta eff uent truck sp s and ant worm chem ca s.</li> </ul> <p>Wh e WAL takes steps to m n m se and effect ve y treat d scharges ar s ng from the above sources, res dua d scharges from these sources w ke y rema n. Th s needs to be recogn sed w th n the po cy.</p>	

**8.2.2 Stormwater**

<p><b>Policy WH.P10: Managing adverse effects of stormwater discharges</b></p> <p><u>A stormwater d scharges and assoc ated and use act v t es sha be managed by:</u></p> <p>(a) <u>us ng source contro to m n m se contam nants n the stormwater d scharge and max m se, to the extent pract cab e, the remova of contam nants from stormwater, nc ud ng through the use of water sens t ve urban des gn measures, and</u></p> <p>(b) <u>us ng hydro og ca contro and water sens t ve urban des gn measures to avo d, remedy or m t gate adverse effects of stormwater quant ty and ma nta n, to the extent pract cab e, natura stream f ows, and</u></p> <p>(c) <u>ns ta ng, where pract cab e, a stormwater treatment system for stormwater d scharges from a property or proper es tak ng nto account:</u></p> <p>( ) <u>the treatment qua ty (oad reduct on factor), and</u></p> <p>( ) <u>opportun t es for the retent on or detent on of stormwater f ows or vo ume, nc ud ng any food storage vo ume requ red, and</u></p> <p>( ) <u>any potent a adverse effects that may ar se as a resu t of the stormwater treatment system or d scharge, nc ud ng eros on and scour, and oca sed adverse water qua ty effects, and</u></p> <p>(v) <u>nspect ons, mon tor ng and ongo ng ma ntenance, nc ud ng costs, to ma nta n funct ona ty n terms of treatment qua ty and capac ty, and</u></p> <p>(v) <u>ex st ng or proposed communa stormwater treatment systems n the stormwater catchment or sub-catchment, or part Freshwater Management Un t.</u></p> <p><u>Note</u></p> <p><u>f the ns ta at on of a stormwater treatment system nc udes nfrastructure n the bed of a ake or r ver,</u></p>	<p>Oppose n part</p>	<p>Wh e t s appropri ate to take steps to manage the potent a source of contam nants w th n stormwater, the current draft ng n mb (b) appears to be more targeted at new, greenf e d deve opment.</p> <p>ns o far as the po cy re ates to WAL, the A rport s a heav y deve oped s te w th s gn f cant and ava ab ty constra nts. t s therefore not a ways pract cab e to mp ement water sens t ve urban des gn or hydro og ca contro measures. Such measures can a so ead to conf cts w th the operat ona and regu atory requ rements of the A rport. For examp e:</p> <ul style="list-style-type: none"> <li>› Stand ng poo s of water can prov de a rest ng p ace or food source for b rds, attract ng them to the A rport.</li> <li>› Stand ng poo s of water can pose a potent a pub c hea th r sk when ocated near a port of entry (. e. mosqu toes).</li> <li>› The nternat ona C v Av at on Organ sat on (“ICAO”) and the C v Av at on Author ty (“CAA”) requ rements requ re the A rport to undertake extens ve w d fe management, nc ud ng act ve management of b rds.</li> <li>› nternat ona Hea th Regu at ons 2005 requ re contro of vector hab tats around des gnated ports or entry, such as potent a mosqu to hab tat.</li> </ul>	<p>Amend (b) as fo ows or nc ude a s m ar reference that on y app es to We ngton A rport or to reg ona y s gn f cant nfrastructure.</p> <p>(b) <u>us ng hydro og ca contro and water sens t ve urban des gn measures where pract cab e to avo d, remedy or m t gate adverse effects of stormwater quant ty and ma nta n, to the extent pract cab e, natura stream f ows, and</u></p> <p>W th the add t on of the changes requested above, a mbs w use the term “where pract cab e”. Cons derat on shou d be g ven to nc ud ng th s reference n the chapeau of the po cy and remov ng t from the respect ve mbs (. e. A stormwater d scharges and assoc ated and use act v t es sha be managed by, <u>where pract cab e:</u>)</p> <p>Or de ete and revert to Operat ve NRP.</p>
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Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><u>resource consent may be required for the placement of the infrastructure under section 5.5 of this Plan.</u></p>			
<p><b><u>Policy WH.P11: Discharges of contaminants in stormwater from high risk industrial or trade premises</u></b></p> <p><u>The discharge of stormwater to water, including discharges via the stormwater network, from a high risk industrial or trade premise shall be managed by:</u></p> <p>(a) <u>having procedures and equipment in place to contain any spillage of hazardous substances for storage or removal, and</u></p> <p>(b) <u>avoiding contaminants or hazardous substances being entrained in stormwater and discharged to a surface water body or coastal water, including via the stormwater network, or where avoidance is not practicable, implementing good management practice to avoid or minimise adverse effects on the environment, including reducing contaminant volumes and concentrations as far as practicable, and applying measures, including secondary containment, treatment, management procedures, and monitoring, and</u></p> <p>(c) <u>installing an interceptor where there is a risk of petroleum hydrocarbons entering into the stormwater network, a surface water body or coastal water, and</u></p> <p>(d) <u>avoiding or mitigating adverse effects of stormwater discharges on groundwater quality.</u></p>	<p>Oppose in part</p>	<p>The RMA includes a definition of “industrial or trade premises”. This definition elaborates on the RMA definition and includes some elements of W AL’s activities.</p> <p>Stormwater discharges emanating from the Airport are provided for by a specific policy and rule in the Proposed NRP. To ensure consistent application of the policies and methods relating to industrial and trade premises, the proposed definition of “high risk industrial or trade premises” should specifically exclude activities occurring at the Airport.</p>	<p>Exclude the Airport from the definition of “high risk industrial or trade premises” or from this policy.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b><u>Policy WH.P12: Managing stormwater from a port or airport</u></b></p> <p><u>The adverse effects, including on aquatic ecosystem health and mahinga ka, contact recreation and Māori customary use, of the discharge of stormwater from a port, or a rport, where the discharge will enter water, including via a local authority or state highway stormwater network, shall be avoided or minimised by:</u></p> <p>(a) <u>identifying priorities for improvement, including methods and techniques for improvement, and</u></p> <p>(b) <u>having particular regard to protecting sites with identified significant outstanding values, and</u></p> <p>(c) <u>implementing good management practice including reducing contaminant volumes and concentrations as far as practicable, and applying measures, including secondary containment, treatment, management procedures, and monitoring, and</u></p> <p>(d) <u>where required to reduce localised adverse effects, or to meet the target attribute states and</u></p>		<p>W AL supports the overall intent of the policy and notes this broadly is similar to the operative equivalent (Policy P89).</p> <p>W AL is concerned however, that the policy is not clear of the circumstances in which the addition of the new “avoidance” directive within the policy would be engaged. W AL is not aware, insofar as the Airport is concerned, of any issues arising from its discharge activities that would warrant an effective cessation of its continuation. Furthermore, W AL actively manages its discharges, with a new state wide stormwater discharge permit recently granted which included conditions that require it to manage all of its discharges in a holistic manner according to an extensive and detailed stormwater management plan. The stormwater management plan identifies, among other things, details around priority workstreams to improve the quality of the discharges from the site, monitoring and reporting.</p> <p>In light of the above, W AL considers the addition of the avoidance clause is unnecessary and should be removed from the policy.</p>	<p>Amend the policy as follows:</p> <p>The adverse effects, including on aquatic ecosystem health and mahinga ka, contact recreation and Māori customary use, of the discharge of stormwater from a port, or a rport, where the discharge will enter water, including via a local authority or state highway stormwater network, shall be <del>avoided or</del> managed by...</p> <p>Or delete and revert to Operative NRP.</p>



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><u>coastal water objectives, progressively improving discharge quality over time.</u></p>			
<p><b><u>Policy WH.P14: Stormwater discharges from new and redeveloped impervious surfaces</u></b></p> <p><u>The adverse effects of stormwater discharges from new greenfield development shall be minimised, and adverse effects of stormwater discharges from existing urban areas reduced to the extent practicable, upon redevelopment, through implementation:</u></p> <p>(a) <u>an on-site stormwater treatment system or an off-site communal stormwater treatment system that is designed to:</u></p> <p>(i) <u>receive at least 85% of the mean annual runoff volume stormwater generated from new and redeveloped impervious surfaces of the property, and</u></p> <p>(ii) <u>achieve copper and zinc load reductions equivalent to that of a raingarden/boretent on development, and</u></p> <p>(b) <u>where stormwater discharges will enter a river, hydrological controls either on-site, or off-site via a communal stormwater treatment system.</u></p>	Oppose	<p>Further to the points raised with respect to Policy WH.P2:</p> <ul style="list-style-type: none"> <li>➤ “new greenfield development”, “existing urban areas” and “redevelopment” are not defined terms.</li> <li>➤ It is not clear how this policy is intended to interact and be applied in light of Policies such as WH.P12 which relate to airports and the broader objectives applying to regional infrastructure more broadly (such as Objective O9 and O10).</li> </ul>	<p>Specifically exclude application of the policy to Airports (and possibly Ports) as they are already captured by proposed Policy WH.P12 and Objective Policy 89.</p> <p>Amend the chapeau to read “... through implementation, <u>as far as reasonably practicable</u>”; to recognise that (a) and (b) do not fit with other forms of development, such as regional infrastructure.</p> <p>Or delete and revert to Objective NRP.</p>
<p><b><u>Policy WH.P15: Stormwater contaminant offsetting for new greenfield development</u></b></p> <p><u>The adverse effects of residual (post-treatment) stormwater contaminants from new greenfield development, roads (not already captured as part of a greenfield development) and state highways where the discharge will enter a surface water body or coastal water, including via an existing or new stormwater network, are to be offset by way of a financial contribution in accordance with Schedule 30 (financial contribution).</u></p>	Oppose	<p>Refer to discussion above with respect to WH.P2 and Policy WH.P14 and the rationale for excluding the Airport from the definition of “new greenfield development” and related terms. Furthermore:</p> <ul style="list-style-type: none"> <li>➤ The operation and functional requirements of some regional infrastructure, such as Airports, necessitate large impermeable surfaces. Stormwater management systems are typically included in the design of such areas.</li> <li>➤ The policy will potentially result in “double dipping”, with financial contributions already able to be considered by Wellington City Council via the resource consent, building consent and service connection process.</li> <li>➤ The RMA is not a “no effects” statute. The residual effects of an activity are typically considered during the resource consent process and if the effects on the environment are suitably managed, it is inappropriate to require residual effects to be offset by financial contribution.</li> <li>➤ Schedule 30 provides details on financial contributions. Based on the purpose section, it appears that the contribution will be “... used to fund and construct new, or upgrade existing, catchment scale stormwater treatment systems serving existing urban development...”. The contribution is therefore payable for an effect that does not necessarily arise from the discharge consent being sought for. This is inappropriate and unlawful.</li> <li>➤ It is unduly onerous to require financial contributions for residual effects from the Airport given the significant contribution it makes towards the social and economic wellbeing of the community.</li> <li>➤ The renewal of the Western and Southern Seawater along Moutere Road is currently being investigated by WAL. This policy requires WAL to pay financial contributions for a sewer that will provide significant benefit and protection of a range of Council assets and infrastructure, including the wastewater mains to</li> </ul>	<p>Expressly exclude the regional infrastructure or other development of Open Space Zones that are generally consistent with the outcomes of the zone from the definition of “new greenfield development” and associated definitions.</p> <p>Exclude the Airport from any financial contributions set out in this policy and Schedule 30.</p> <p>Or delete and revert to Objective NRP.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
		<p>the City's primary treatment plant and transportation. The area also contains power and telecommunications.</p> <p>➤ As noted earlier in this submission, there is no definition of "new greenfield development" therefore application of this policy is unclear, uncertain and inappropriate.</p>	
<p><b>Policy WH.P16: Stormwater discharges from new unplanned greenfield development</b></p> <p><u>Avoid a new stormwater discharges from unplanned greenfield development where the discharge will enter a surface water body or coastal water, including through an existing local authority stormwater network.</u></p>	Oppose	<p>Refer to the discussion with respect to WH.P2 and WH.P14.</p> <p>Furthermore, WAL is concerned that such a strong policy directive could be used as rationale by a territorial authority for declining plan changes and resource consents or for recommending that a Notice of Requirement is withdrawn, despite regulatory significant infrastructure often being subject to a different consent/approval process than most activities.</p>	<p>Substantively amend the policy to address the issues raised.</p> <p>Or delete and revert to Operative NRP.</p>
<b>Section 8.2.4 Rural land use and earthworks</b>		<p>"Rural land use" and "earthworks" are distinctly different activities. Unless the provisions within this section are intended to only apply to earthworks associated with rural land use activities, consideration should be given to separating these provisions into different sections of the NRP.</p>	
<p><b>Policy WH.P29: Management of earthworks</b></p> <p><u>The risk of sediment discharges from earthworks shall be managed by:</u></p> <p>(a) <u>requiring retention of soil and sediment on the land using good management practices for erosion and sediment control measures that are appropriate to the scale and nature of the activity, and in accordance with the GWRC Erosion and Sediment Control Guide for the Wellington Region (2021), for the duration of the activity and disturbance, and</u></p> <p>(b) <u>limiting the amount of land disturbed at any time, and</u></p> <p>(c) <u>designing and implementing earthworks with knowledge of the existing environmental constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving environments, and</u></p> <p>(d) <u>requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion.</u></p>	Oppose	<p>WAL regularly undertakes earthworks and implements extensive sediment and erosion control measures on site to minimise the sediment discharges to the stormwater network and/or the coast. It is impractical however, to expect sediment discharges to be entirely retained on site. For example, as part of the seawall renewal works, extensive sediment and erosion control measures will be implemented on site. Given the inherent nature and location of the works (i.e. at the coastal interface), it is not possible to retain sediment discharges.</p>	<p>Amend the policy to make it clear that it applies only to Rural land use in line with this section of the proposed RPS.</p> <p>Or establish a standalone policy (and rule) that provides for earthworks associated with the Airport or a territorial authority, regulatory significant infrastructure more broadly.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Policy WH.P31: Winter shut down of earthworks</b></p> <p><u>Earthworks over 3,000m<sup>2</sup> in area shall:</u></p> <p>(a) <u>be shut down from 1st June to 30th September each year, and</u></p> <p>(b) <u>prior to shut down, be stabilised against erosion and have sediment controls in place using good management practices in accordance with the</u></p>	Oppose	<p>WAL opposes this policy. The policy does not provide a consenting pathway for large scale infrastructure projects that often span months to years in duration.</p> <p>Effectively prohibiting earthworks for a four month period will add significant cost and time to infrastructure projects undertaken by WAL and key other infrastructure providers. This blunt approach also fails to recognise that some earthworks activities have to avoid certain breeding, spawning or nesting periods of significant indigenous fauna are located on site. When such constraints are</p>	<p>Establish a standalone policy (and rule) that provides for earthworks associated with the Airport or regulatory significant infrastructure more broadly.</p> <p>Or delete and revert to Operative NRP.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<u>GWRC Erosion and Sediment Control Guide line for the Wellington Region (2021).</u>		combined with the policy directive to avoid the period of 1 June to 30 September, implementation of projects may become entirely unworkable.	
<b>8.3 Rules</b>			
<b>8.3.1 Discharges of contaminants</b>			
<p><b>Rule WH.R1: Point source discharges of specific contaminants – prohibited activity</b></p> <p><u>The point source discharge of:</u></p> <p>(a) <u>chemical cleaning products including vehicle cleaning products, detergents, bleach and disinfectant, or</u></p> <p>(b) <u>paint and other substances used for the purpose of protecting surfaces (including staining and paint wash), or</u></p> <p>(c) <u>sovents including paint stripper, or</u></p> <p>(d) <u>oil fuels, including diesel, petrol, oil, grease, except where these have been treated by an interceptor system to collect hazardous contaminants and the treated discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons, or</u></p> <p>(e) <u>radar coolant, or</u></p> <p>(f) <u>cooking oil, or</u></p> <p>(g) <u>cement wash, cement slurry and concrete cutting waste, or</u></p> <p>(h) <u>drinking water</u></p> <p><u>into water or onto or into and, including via a stormwater network, where it may enter a surface water body or coastal waters as a prohibited activity.</u></p>	Oppose	For the reasons set out with respect to Policy WH.P8, WAL opposes this rule. Furthermore, WAL has a state wide stormwater discharge permit which requires activities on site to be managed in accordance with the state wide stormwater management plan. The effects arising as a result of such activities should therefore appropriately managed via that plan.	<p>Provide an exemption for activities occurring at the Airport.</p> <p>Or delete and revert to Operative NRP.</p>
<b>8.3.2 Stormwater</b>			
<p><b>Rule WH.R2: Stormwater to land – permitted activity</b></p> <p><u>The discharge of stormwater onto or into and, including where contaminants may enter groundwater:</u></p> <p>(a) <u>that is not from a high risk industrial or trade premises, or</u></p> <p>(b) <u>that does not discharge from, or to, a local authority stormwater network,</u></p> <p><u>is a permitted activity provided the following conditions are met:</u></p> <p>(c) <u>the discharge is not from, onto or into SLUR Category and, unless the stormwater does not come into contact with SLUR Category and,</u></p> <p><u>and</u></p>	Oppose in part	Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A clarification note should be included in this rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.	<p>Amend the rule as follows or submit:</p> <p>The discharge of stormwater onto or into and, including where contaminants may enter groundwater:</p> <p>(a) that is not from a high risk industrial or trade premises, or</p> <p>(b) <u>that is not from a port, airport or state highway</u></p> <p>(c) ....</p> <p>Note</p> <p>In respect of a discharge from an existing high risk industrial or trade premises refer to Rule WH.R4, and for discharges from new or redeveloped premises refer to Rule WH.R11. For existing discharges from or into a local authority stormwater network refer to Rule WH.R9. Discharges from a port or airport refer to Rule WH.R8.</p>



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<p>(d) <u>the discharge shall not cause or exacerbate the flooding of any other property, and</u></p> <p>(e) <u>the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water.</u></p>			Or delete and revert to Operative NRP.
<p><u>Note</u></p>			
<p><u>in respect of a discharge from an existing high risk industrial or trade premises refer to Rule WH.R4, and for discharges from new or redeveloped premises refer to Rule WH.R11. For existing discharges from or into a local authority stormwater network refer to Rule WH.R9.</u></p>			
<p><b><u>Rule WH.R3: Stormwater from an existing individual property to surface water or coastal water – permitted activity</u></b></p>	Support	Rule WH.R8 applies to stormwater discharges from Wellington International Airport. W AL therefore supports the categorisation provided by (b) and the related note.	Retain as not fixed.
<p><u>The discharge of stormwater from an existing individual property into water, or onto or into and where it may enter a surface water body or coastal water.</u></p>			
<p>(a) <u>that is not from a high risk industrial or trade premises, or</u></p>			
<p>(b) <u>that is not from a port, airport or state highway</u></p>			
<p>(c) <u>that does not discharge from, or to, a local authority stormwater network,</u></p>			
<p><u>is a permitted activity, provided the following conditions are met:</u></p>			
<p>(d) <u>the discharge is not from, onto or into SLUR Category and, unless the stormwater does not come into contact with SLUR Category and,</u> <u>and</u></p>			
<p>(e) <u>the discharge does not contain wastewater, and</u></p>			
<p>(f) <u>the concentration of total suspended solids in the discharge shall not exceed:</u></p>			
<p>( ) <u>50g/m3 where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (manawhenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</u></p>			
<p>( ) <u>100g/m3 where the discharge enters any other water, and</u></p>			
<p>(g) <u>the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</u></p>			
<p>(h) <u>the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</u></p>			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(i) <u>the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</u></p> <p>(j) <u>any conspicuous change in the colour, or</u></p> <p>(k) <u>a decrease in water clarity of more than</u></p> <ol style="list-style-type: none"> <li>1. <u>20% in a River class 1 and in any river defined as having high macro invertebrate community health in Schedule F1 (rivers/lakes), or</u></li> <li>2. <u>30% in any other river, or</u></li> </ol> <p>(l) <u>any emission of objectionable odour, or</u></p> <p>(m) <u>the freshwater is unsuitable for consumption by farm animals, or</u></p> <p>(n) <u>any significant adverse effects on aquatic life.</u></p> <p><b>Note</b></p> <p><u>In respect of the discharge from an existing high risk industrial or trade premise refer to Rule WH.R4. Discharges from a port or a rport refer to Rule WH.R8. For discharges from an existing industrial property into the stormwater network refer to Rule WH.R9.</u></p>			
<p><b>Rule WH.R4: Stormwater from an existing high risk industrial or trade premise – permitted activity</b></p> <p><u>The discharge of stormwater from an existing high risk industrial or trade premise, that is not a port or a rport, into water, or onto or into and where it may enter water, including via an existing local authority stormwater network, is a permitted activity, provided the following conditions are met:</u></p> <p>(a) <u>the discharge is not from, onto or into SLUR Category 1 and, unless the stormwater does not come into contact with SLUR Category 1 and, and</u></p> <p>(b) <u>the discharge does not contain wastewater, and</u></p> <p>(c) <u>if the discharge is to and where it may enter groundwater,</u></p> <ol style="list-style-type: none"> <li>(i) <u>the discharge cannot cause or exacerbate the flooding of any other property, and</u></li> <li>(j) <u>the discharge is not located within 20m of a bore used for water abstracted on for potable supply or stock water, and</u></li> </ol> <p>(d) <u>any contaminants stored or used on site, or hazardous substances, cannot be entrained in stormwater and enter a surface water body or coastal water, including via the stormwater network, or</u></p> <p>(e) <u>there is a containment system in place to intercept and contain any spillage of</u></p>	<p>Oppose in part</p>	<p>Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A careful cat on note should be included in the rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.</p>	<p>Amend the rule as follows:</p> <p>....</p> <p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11. <u>Discharges from a port or a rport refer to Rule WH.R8.</u></p> <p>Or delete and revert to Operative NRP.</p>



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<p><u>hazardous substances for storage and removal, or</u></p> <p>( ) <u>the stormwater contains no hazardous substances except petroleum hydrocarbons, and in that situation, the stormwater is treated by an interceptor and the treated discharge does not contain more than 15 mg/l of total petroleum hydrocarbons, and</u></p> <p>(e) <u>if the discharge is into a surface water body, coastal water or via an existing local authority stormwater network, the concentration of total suspended solids in the discharge shall not exceed:</u></p> <p>( ) <u>50g/m<sup>3</sup> where the discharge enters a site or habitat defined in Schedule A (outstanding water bodies), Schedule C (manhous), Schedule F1 (rivers/akes), Schedule F3 (defined natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</u></p> <p>( ) <u>100g/m<sup>3</sup> where the discharge enters any other water,</u></p> <p><u>and where the discharge is not via an existing local authority stormwater network the discharge shall also not:</u></p> <p>(f) <u>cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</u></p> <p>(g) <u>give rise to the following effects beyond the zone of reasonable mixing:</u></p> <p>( ) <u>the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</u></p> <p>( ) <u>any conspicuous change in the colour, or</u></p> <p>( ) <u>a decrease in water clarity of more than</u></p> <p>1. <u>20% in a River class 1 and in any river defined as having high macro invertebrate community health in Schedule F1 (rivers/akes), or</u></p> <p>2. <u>30% in any other river, or</u></p> <p>(v) <u>any emission of objectionable odour, or</u></p> <p>(v) <u>the freshwater is unsuitable for consumption by farm animals, or</u></p> <p>(v) <u>any significant adverse effects on aquatic life.</u></p>			
<p><u>Note</u></p>			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11</p>			
<p><b><u>Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity</u></b></p> <p><u>The use of and for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment of existing urban residential property) and the associated discharge of stormwater into water, or onto or into and where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unpermitted greenfield development, is a permitted activity, provided the following conditions are met:</u></p> <p>(a) <u>the proposal involves the creation of new, or redevelopment of existing impervious areas of less than 1,000m<sup>2</sup> (based on property existing impervious area as at 30 October 2023) and</u></p> <p>(b) <u>a new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and</u></p> <p>(c) <u>the proposal provides hydrological control measures (for example rain tanks) onsite or offsite, where discharges will enter a surface water body (including via an existing local authority stormwater network):</u></p> <p>(i) <u>for a impervious areas associated with a greenfield development, or</u></p> <p>(ii) <u>for a redeveloped and new impervious areas involving greater than 30m<sup>2</sup> of impervious area of a redevelopment (of an existing urban residential property), and</u></p> <p>(d) <u>the discharge is not from, onto or into SLUR Category 1 and, unless the stormwater does not come into contact with SLUR Category 1 and, and</u></p> <p>(e) <u>the discharge does not contain wastewater, and</u></p> <p>(f) <u>the concentration of total suspended solids in the discharge shall not exceed:</u></p> <p>(i) <u>50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (manhous), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</u></p>	<p>Oppose</p>	<p>For the reasons set out with respect to Policy WH.P2 and Policy WH.P12, WAL opposes this rule.</p> <p>WAL also submits that Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A clarification note should be included in this rule (as per Rule WH.R3) which clarifies that this rule does not apply to discharges from the Airport.</p>	<p>Amend the rule to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p> <p>Amend the note as set out below to address discharges from the Airport (and potentially the port):</p> <p>Note</p> <p>Where a property connects to a local authority stormwater network, additional connections and authorisations may be required by the network utility operator.</p> <p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11. <u>Discharges from a port or a report refer to Rule WH.R8.</u></p> <p>Or delete and revert to Operative NRP.</p>

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<p>( ) <u>100g/m3 where the discharge enters any other water,</u></p> <p><u>and where the discharge is not via an existing or new local authority stormwater network:</u></p> <p>(g) <u>the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</u></p> <p>(h) <u>the discharge shall not give rise to the following effects beyond the zone of reasonable mix:</u></p> <p>( ) <u>the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</u></p> <p>( ) <u>any conspicuous change in the colour, or</u></p> <p>( ) <u>a decrease in water clarity of more than</u></p> <p>1. <u>20% in a River class 1 and in any river identified as having high macro invertebrate community health in Schedule F1 (rivers/lakes), or</u></p> <p>2. <u>30% in any other river, or</u></p> <p>(v) <u>any emission of objectionable odour, or</u></p> <p>(v) <u>the freshwater is unsuitable for consumption by farm animals, or</u></p> <p>(v) <u>any significant adverse effects on aquatic life.</u></p> <p>Note</p> <p><u>Where a property connects to a local authority stormwater network, additional connections requirements and authorisations may be required by the network utility operator.</u></p> <p><u>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11.</u></p>			
<p><b><u>Rule WH.R6: Stormwater from new greenfield impervious surfaces – controlled activity</u></b></p> <p><u>The use of and for the creation of new impervious surfaces for greenfield development and the associated discharge of stormwater into water, or onto or into and where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not a high risk industrial or trade premises or unannounced greenfield development, is a controlled activity, provided the following conditions are met:</u></p> <p>(a) <u>the proposal involves the creation of new impervious surfaces of between 1,000m2 and 3,000m2 (based on property existing impervious area as at 30 October 2023) or,</u></p>	<p>Oppose</p>	<p>For the reasons set out with respect to Policy WH.P2 and Policy WH.P12, WAL opposes this rule.</p> <p>WAL also submits that Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A clarification note should be included in this rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.</p>	<p>Amend the rule to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p> <p>Amend the note as set out below to address discharges from the Airport (and potentially the port):</p> <p>Note</p> <p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11. <u>Discharges from a port or a rport refer to Rule WH.R8.</u></p> <p>Or delete and revert to Operative NRP.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(b) <u>the proposal involves the creation of new impervious surfaces of less than 1,000m<sup>2</sup>, but is not permitted under the conditions of Rule WH.R5, and,</u></p> <p>(c) <u>a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions), and</u></p> <p>(d) <u>where stormwater directly or indirectly (through an existing local authority stormwater network) discharges to a river, hydrological controls are provided either:</u></p> <p>(i) <u>on-site, or</u></p> <p>(ii) <u>off-site through an existing local authority stormwater network or privately owned stormwater network that has been sized to accommodate the proposed stormwater discharges, and</u></p> <p>(e) <u>stormwater contaminant treatments are provided that capture 85% of the mean annual runoff and direct it to a stormwater treatment system that treats in accordance with Schedule 28 (contaminant treatment) and are provided either:</u></p> <p>(i) <u>on-site, or</u></p> <p>(ii) <u>off-site through an existing local authority stormwater network or privately owned stormwater treatment system that has capacity to treat contaminant loads from the site.</u></p>			
<p><u>Matters of control</u></p>			
<p>1. <u>The design and layout of the on-site stormwater treatment system, including the ongoing operation and management measures necessary to ensure that stormwater quality will meet the requirements of condition (e) of this rule</u></p> <p>2. <u>The adequacy of hydrological control measures either on-site or off-site, where stormwater will enter a river</u></p> <p>3. <u>Where an off-site (or a combination of on-site and off-site) stormwater treatment system is used, whether this has capacity, availability (timing) and appropriate authorisations to connect into</u></p> <p>4. <u>The long-term operation, maintenance and ownership requirements of the stormwater treatment system</u></p> <p>5. <u>Whether sufficient use of water sensitive urban design measures have been applied to the site design and layout</u></p>			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>6. <u>A financial contribution as required by Schedule 30 (financial contributions)</u></p> <p>7. <u>Condition of consent to demonstrate and/or monitor compliance with conditions (d) and (e) of this rule</u></p> <p><u>Notification</u></p> <p><u>In respect of Rule WH.R6, applications are precluded from limited and public notification (unless special circumstances exist).</u></p> <p><u>Note</u></p> <p><u>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to WH.R11.</u></p>			
<p><b><u>Rule WH.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas – controlled activity</u></b></p> <p><u>The use of and for the creation of new and/or redevelopment of impervious surfaces of an existing urbanised property and the associated discharge of stormwater into water, or onto or into and where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not a high risk industrial or trade premises, is a controlled activity, provided the following conditions are met:</u></p> <p>(a) <u>the proposal involves the creation of new, or redevelopment of impervious surfaces of between 1,000m<sup>2</sup> and 3,000m<sup>2</sup> (base line property existing impervious area as at 30 October 2023) or,</u></p> <p>(b) <u>the proposal involves the creation of new, or redevelopment of impervious areas of less than 1,000m<sup>2</sup> but is not permitted under the conditions of Rule WH.R5, and,</u></p> <p>(c) <u>where stormwater directly or indirectly (through an existing local authority stormwater network) discharges to a river, hydrological controls provided either:</u></p> <p>(i) <u>on-site, or</u></p> <p><u>off-site through an existing local authority stormwater network or privately owned stormwater network that has been sized to accommodate the proposed stormwater discharges, and</u></p> <p>(d) <u>contaminant treatment of stormwater is provided either:</u></p> <p>(i) <u>on-site through a stormwater treatment system, or</u></p>	Oppose	<p>For the reasons set out with respect to Policy WH.P2 and Policy WH.P12, WAL opposes this rule.</p> <p>WAL also submits that Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A careful reading of the note should be included in this rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.</p>	<p>Amend the rule to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p> <p>Amend the note as set out below to address discharges from the Airport (and potentially the port):</p> <p>Note</p> <p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to Rule WH.R11. <u>Discharges from a port or a rport refer to Rule WH.R8.</u></p> <p>Or delete and revert to Operative NRP.</p>



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
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( ) off-site through an existing local authority stormwater network or privately owned stormwater treatment system that has capacity to treat contaminant loads from the site

Matters of contro

- Whether the design and layout of the on-site stormwater treatment system incorporates best practice optimum measures to achieve (to the extent practicable) the capture of 85% of the mean annual stormwater runoff and treatment in accordance with Schedule 28 (contaminant treatment)
- Whether the design and layout undertakes a best practice optimum approach to the provision of hydrological control measures either onsite or offsite, where stormwater will enter a river.
- Where an off-site (or a combination of on-site and off-site) stormwater treatment system is used, whether this has capacity, availability (timing) and appropriate authorisations to connect into
- The long-term operation, maintenance and ownership requirements of the stormwater treatment system
- Whether there are topographical limitations influencing the provision of stormwater hydrological control and contaminant treatment
- Whether sufficient use of water sensitive urban design methods have been applied to the site design and layout
- Conditions to monitor compliance associated with any stormwater treatment system or hydrological control measures.

Notification

In respect of Rule WH.R7, applications are precluded from limited and public notification (unless specific circumstances exist).

Note

For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to Rule WH.R11.

**Rule WH.R8: Stormwater from a port or airport – restricted discretionary activity**  
The discharge of stormwater from a port or airport into water, or onto or into and where it may enter a surface water body or coastal water, not being through a local authority stormwater network, is a restricted discretionary activity where the target attribute state

Support in part

It is appropriate for the Proposed NRP to retain a bespoke consenting pathway for the Airport as regional infrastructure.  
The Airport has unique operation and function requirements (as well as regulatory requirements) which mean that standard stormwater management measures (such as stormwater wetlands and/or retention ponds) are not practicable in the operation context of an airport, nor given the land constraints at the Airport. These constraints require further recognition within the matters of discretion

Retain the rule as notified, subject to the following amendments:

Matters for discretion

- The management of the adverse effects of stormwater capture and discharge, including on aquatic ecosystem health and mahinga ka, contact recreation and Māori customary use, and as required by Policy WH.P12

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>for copper and zinc in Table 8.4 is met for a relevant part Freshwater Management Unit or the coastal water objective for copper and zinc in Table 8.1 is met in the relevant coastal water management unit.</p> <p>Matters for consideration</p> <ol style="list-style-type: none"> <li>The management of the adverse effects of stormwater capture and discharge, including on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, and as required by Policy WH.P12</li> <li>The management of effects on sensitive defined in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kōwhiri), Schedule C (mana whenua), Schedule F (indigenous biodiversity)</li> <li>Minimisation of the adverse effects of stormwater discharges</li> <li>Provisions for hydrological control measures where discharges will enter a surface water body (including via an existing local authority stormwater network), and water sensitive urban design</li> <li>Requirements of any relevant local authority stormwater network discharge consent</li> </ol>		<p>however, particularly paragraph 4 relating to hydrological controls and water sensitive design.</p>	<ol style="list-style-type: none"> <li>The management of effects on sensitive defined in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kōwhiri), Schedule C (mana whenua), Schedule F (indigenous biodiversity)</li> <li><del>Minimisation of the adverse effects of stormwater discharges</del></li> <li>Where practicable, the provisions for hydrological control measures where discharges will enter a surface water body (including via an existing local authority stormwater network), and water sensitive urban design</li> <li>Requirements of any relevant local authority stormwater network discharge consent</li> <li>The operational and functional constraints of the port or a report that affect the stormwater management approach adopted on site.</li> </ol> <p>Or delete and revert to Operative NRP.</p>
<p><b>Rule WH.R11: Stormwater from new and redeveloped impervious surfaces – discretionary activity</b></p> <p><u>The use of and for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment of existing urbanised property) and the associated discharge of stormwater into water, or onto or into and where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or Rule WH.R7, or prohibited under WH.R13 is a discretionary activity provided the following conditions are met:</u></p> <ol style="list-style-type: none"> <li>the resource consent application includes a Stormwater Impact Assessment prepared in accordance with Schedule 29 (Impact Assessment), and</li> <li>if the proposals for greenfield development a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (Financial Contributions).</li> </ol>	Oppose	<p>For the reasons set out with respect to Policy WH.P2 and Policy WH.P12, W A L opposes this rule.</p> <p>W A L also submits that Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A careful caton note should be included in this rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.</p>	<p>Amend the rule to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p> <p>In addition, amend the note as set out below to address discharges from the Airport (and potentially the port):</p> <p><b>Note</b></p> <p><u>Discharges from a port or a report refer to Rule WH.R8.</u></p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Rule WH.R12: All other stormwater discharges – non-complying activity</b></p>	Oppose	<p>For the reasons set out with respect to Policy WH.P2 and Policy WH.P12, W A L opposes this rule.</p>	<p>Amend the rule to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>The:</p> <p>(a) <u>discharge of stormwater onto or into and, including where contaminants may enter groundwater, that is not permitted by Rule WH.R2, or</u></p> <p>(b) <u>discharge of stormwater into water or onto or into and where it may enter a surface water body or coastal water, that is not permitted by Rule WH.R3, or a restricted discretionary activity under Rules WH.R8 or WH.R9, or</u></p> <p>(c) <u>discharge of stormwater from a high risk industrial or trade premises that is not permitted by Rule WH.R4, or the use of and for the creation of new or redevelopment of existing impervious surfaces and the associated discharge of stormwater from a high risk industrial or trade premises that does not meet the conditions of Rule WH.R11, or</u></p> <p>(d) <u>use of and for the creation of new or redevelopment of existing impervious surfaces and the associated discharge of stormwater into water or onto or into and where it may enter water, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or WH.R7, or a discretionary activity under Rule WH.R10 or WH.R11, or a prohibited activity under WH.R13, is a non-complying activity.</u></p>		<p>WAL also submits that Rule WH.R8 applies to stormwater discharges from Wellington International Airport. A careful cat on note should be included in this rule (as per Rule WH.R3) which clearly defines that this rule does not apply to discharges from the Airport.</p>	<p>In addition, add a note as set out below to address discharges from the Airport (and potentially the Port):</p> <p><u>Note</u></p> <p><u>Discharges from a port or a rport refer to Rule WH.R8</u></p> <p>Or delete and revert to Operative NRP.</p>
<p><b><u>Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity</u></b></p> <p>_____</p> <p><u>The use of and and the associated discharge of stormwater from impervious surfaces from unplanned greenfield development directed into water, or onto or into and where it may enter a surface water body or coastal water, including through an existing or proposed stormwater network, is a prohibited activity.</u></p> <p><u>Note</u></p> <p><u>Any unplanned greenfield development proposals will require a plan change to the relevant map (Map 86, 87, 88 or 89) to allow consideration of the suitability of the site and receiving catchment(s) for accommodating the water quality requirements of the National Policy Statement for Freshwater Management 2020, and the relevant freshwater and coastal water quality objectives of this Plan. Any plan change process should be considered concurrent with any associated change to the relevant district plan, to support integrated planning and assessment.</u></p>	Oppose	For the reasons set out with respect to Policy WH.P2 WAL opposes this rule.	<p>Amend to address the issues raised in the discussion regarding Policy WH.P2 and Policy WH.P12.</p> <p>Or delete and revert to Operative NRP.</p>
<p><b>8.3.5 Earthworks</b></p>			



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><b>*Rule WH.R23: Earthworks – permitted activity</b></p> <p><u>Earthworks is a permitted activity, provided the following conditions are met:</u></p> <p>(a) <u>the earthworks are to implement an act on the erosion risk treatment plan for the farm, or</u></p> <p>(b) <u>the earthworks are to implement an act on the farm environment plan for the farm, or</u></p> <p>(c) <u>the area of earthworks does not exceed 3,000m<sup>2</sup> per property in any consecutive 12-month period, and</u></p> <p>(d) <u>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and</u></p> <p>(e) <u>soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</u></p> <p>(f) <u>the area of earthworks must be stabilised within six months after completion of the earthworks, and</u></p> <p>(g) <u>there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and</u></p> <p>(h) <u>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</u></p> <p><u>Note</u></p> <p><u>Earthworks management guidance is available within the Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021).</u></p>	Oppose	<p>The rule as drafted may inadvertently be breached where an activity is not related to farming.</p> <p>Subparagraphs (d) and (e) appear to be addressing the same issue and could be combined.</p> <p>For the reasons set out with respect to Policy WH.P29, WAL is also concerned with the proposed drafting of subparagraph (g) and considers that its impact could require additional charges to be entirely retained on site.</p>	<p>Amend the rule as follows:</p> <p><i>Earthworks is a permitted activity, provided the following conditions are met:</i></p> <p>(a) <i>where the earthworks are related to farming they to implement an action in the erosion risk treatment plan for the farm, or</i></p> <p>(b) <i>where the earthworks are related to farming they to implement an action in the farm environment plan for the farm, or</i></p> <p>(c) <i>the area of earthworks does not exceed 3,000m<sup>2</sup> per property in any consecutive 12-month period, and</i></p> <p>(d) <i>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and</i></p> <p><del>(e) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</del></p> <p>(f) <i>the area of earthworks must be stabilised within six months after completion of the earthworks, and</i></p> <p><del>(g) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and</del></p> <p>(h) <i>erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</i></p> <p><u>Note</u></p> <p><i>Earthworks management guidance is available within the Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021).</i></p> <p>Or delete and revert to Operative NRP.</p>
<p><b>Rule WH.R24: Earthworks – restricted discretionary activity</b></p> <p><u>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</u></p> <p>(a) <u>the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m<sup>3</sup>, except that, if at the time of the</u></p>	Oppose	<p>It is not clear how (a) relates to coastal water when the various activity indicators only relate to freshwater bodies.</p> <p>For the reasons set out with respect to Policy WH.P31, WAL opposes subparagraph (b) and matter of discretion 8 and considers they should both be deleted in the re-entry.</p> <p>A separate restricted discretionary earthworks rule should apply to large scale earthworks that provide for regional infrastructure.</p>	<p>include a new rule that specifically provides for earthworks associated with the establishment, operation or maintenance of regional infrastructure.</p> <p>Or delete and revert to Operative NRP.</p>

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><u>d scharge the concentrat on of tota suspended solids n the rece v ng water at or about the po nt of d scharge exceeds 100g/m3, the d scharge sha not, after the zone of reasonab e m x ng, decrease the v sua c ar ty n the rece v ng water by more than:</u></p> <p>( ) <u>20% n R ver c ass 1 and n any r ver dent fed as hav ng h gh macro nvertebrate commun ty hea th n Schedu e F1 (r vers/ akes), or</u></p> <p>( ) <u>30% n any other r ver, and</u></p> <p>(b) <u>earthworks sha not occur between 1st June and 30th September n any year.</u></p>			
<p><u>Matters for d scret on</u></p> <ol style="list-style-type: none"> <li>1. <u>The ocat on, area, sca e, vo ume, durat on and stag ng and t m ng of works</u></li> <li>2. <u>The des gn and su tab ty of eros on of sed ment contro measures nc ud ng cons derat on of hazard m t gat on and the r sk of acce erated so eros on assoc ated the stag ng of works and progress ve stab sat on</u></li> <li>3. <u>The p acement and treatment of stockp ed mater a s on the s te, nc ud ng requ rements to remove mater a f t s not to be reused on the s te</u></li> <li>4. <u>The proport on of unstab sed and n the catchment</u></li> <li>5. <u>The adequacy and eff c ency of stab sat on dev ces for sed ment contro</u></li> <li>6. <u>Any adverse effects on:</u> <ul style="list-style-type: none"> <li>( ) <u>groundwater, surface water bod es and the r marg ns, part cu ar y surface water bod es w th n s tes dent fed n Schedu e A (outstand ng water bod es), Schedu e B (Ngā Taonga Nu a K wa), Schedu e C (mana whenua), Schedu e F (ecosystems and hab tats w th nd genous b od vers ty), Schedu e H (contact recreat on and Māor customary use) or Schedu e ( mportant trout f shery r vers and spawn ng waters)</u></li> <li>( ) <u>group dr nk ng water supp es and commun ty dr nk ng water supp es</u></li> <li>( ) <u>maur , water qua ty ( nc ud ng water qua ty n the coasta mar ne area), aquat c and mar ne ecosystem hea th, aquat c and r par an hab tat qua ty, nd genous b od vers ty va ues, mah nga ka and cr t ca fe cyc e per ods for nd genous aquat c spec es</u></li> </ul> </li> </ol>			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
(v) <u>the natural character of lakes, rivers, natural wetlands and the margins and the coastal environment</u>			
(v) <u>natural hazards, and stability, soil erosion, sedimentation and flood hazard management including the use of natural buffers</u>			
7. <u>Duration of the consent</u>			
8. <u>Preparation required for the close-down period (from 1st June to 30th September each year) and any maintenance activities required during this period</u>			
9. <u>Monitoring and reporting requirements</u>			
<b><u>Rule WH.R25: Earthworks – non-complying activity Earthworks, and the associated discharge of sediment into a surface water body or coastal water or onto or into and where it may enter a surface water body or coastal water from earthworks, including via a stormwater network, that does not comply with Rule WH.R24 as a non-complying activity.</u></b>	Oppose	<p>By virtue of the 1<sup>st</sup> June to 30 September close down period, most of W AL’s earthwork activities will be captured by this rule. For the reasons set out with respect to Policy WH.P31, W AL opposes this rule and considers it should be deleted in its entirety.</p> <p>As an alternative, a separate restricted discretionary earthworks rule should apply to large scale earthworks that provide for regional infrastructure.</p>	<p>Develop a new restricted discretionary earthworks rule should apply to large scale earthworks that provide for the establishment, operation or maintenance of regional infrastructure that does not include a close down period.</p> <p>Or delete and revert to Operative NRP.</p>
<b>Schedules</b>			
<b><u>Schedule F2(c) Significant habitats for indigenous birds in the coastal marine area</u></b>	Oppose	<p>There is a mapped area of Significant Habitat for indigenous birds in the coastal marine area along Lyall Bay. It does not include the “Western Seawall” or the “Southern Seawall” that surround the Airport and Moa Point Road. To reflect this, the “Habitat Extent” as described in the Schedule only excludes the Southern Seawall. The description should be updated to also exclude the Western Seawall.</p> <p>With respect to the proposed changes to the Schedule, the section 32 evaluation notes (Table A1, page 31) that the schedules relate to objectives that give effect to the NPS-FM. The NPS-FM does not apply to coastal waters, therefore W AL questions the rationale for the change to Schedule F2c, particularly with respect to Wellington Harbour - (Port Nicholson) foreshore; Palmer Head to Lyall Bay excluding the seawall at the southern end of the Wellington International Airport as shown on the NRP GIS maps and Wellington Harbour (Port Nicholson) – inland waters.</p> <p>W AL is particularly concerned given the extent of the mapped areas identified, particularly with Evans Bay where habitats have been affected by development such as wharf structures.</p>	<p>Amend Schedule F2(c) as follows:</p> <p><i>Wellington Harbour (Port Nicholson) foreshore; Palmer Head to Lyall Bay excluding the seawall at the southern and western end of the Wellington International Airport as shown on the NRP GIS maps.</i></p> <p>Delete proposed changes to the definition specified within Schedule F2(c) and renotify with an accompanying evaluation that meets the requirements of section 32 of the RMA.</p> <p>Evidence should also be provided that the mapped areas are sufficiently accurate for inclusion on the Proposed NRP.</p> <p>References to “the site” should be replaced with “Over the Harbour provides” or “Part of the Harbour provides” to reflect the size of the area.</p> <p>Or delete the changes to Schedule F2(c) that relate to the CMA.</p>
<b><u>Schedule F4 Sites with significant indigenous biodiversity values in the coastal marine area</u></b> Horse mussel Beds and Adams seabeds (Evans Bay)	Oppose in part	<p>W AL acknowledges the presence of these indigenous species within Evans Bay. Policies 38, 39 and P41 of the Operative NRP provide a pathway for regional infrastructure (such as the Airport) to undertake works within these areas. Provided these operative provisions are not amended in any way as part of the Proposed NRP, W AL does not have any particular issue with the Horse mussel beds and Adams seabeds being identified in Schedule F4, subject to the mapping being sufficiently accurate.</p>	<p>Amend the Schedule and associated planning map to accurately map the extent of the mussel beds.</p> <p>Reconsider the use of the NZCPS contingent upon the “regionally rare” status.</p>
<b><u>Schedule F5 Habitats with significant indigenous biodiversity values in the coastal marine area</u></b> Adams seabeds	Oppose in part	<p>W AL acknowledges the presence of these indigenous species within Evans Bay. Policies 38, 39 and P41 of the Operative NRP provide a pathway for regional infrastructure (such as the Airport) to undertake works within these areas. Provided these provisions are not amended in any way as part of the Proposed NRP, W AL does not have any particular issue with the Horse mussel beds and</p>	<p>Amend the Schedule and associated planning map to accurately map the extent of the habitats.</p> <p>Reconsider the use of the NZCPS contingent upon the “regionally rare” status.</p>



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
Horse mussel beds (Evans Bay)		Adam seeks a beds being defined in Schedule F5, subject to the mapping being sufficiently accurate.	
<b>Schedule 29 Stormwater Impacts Assessment</b>		WAL opposes this schedule to the extent that its relief sought with respect to WH.R6 and WH.R7 are not granted.	<p>Delete the schedule to the extent that it should not apply to the A report.</p> <p>The schedule should also recognise that the measures defined within it may not always be practicable. For example</p> <p><i>A stormwater impact assessment shall include the following analysis <u>where relevant</u>:</i></p> <p>.....</p> <p><i>Implementation of Water Sensitive Urban Design principles <u>to the extent reasonably practicable</u>:</i></p> <p>Or delete and revert to Operative NRP.</p>
<b>Schedule 30 Financial Contributions</b>	Oppose	For the reasons set out with respect to WH.P15, WAL opposes this schedule in its entirety.	Delete Schedule 30.
<b>Objectives</b>			
<b>3.6 Water Quality</b>			
<b>Objective O18</b>	Oppose in part	Should the relief sought by WAL with respect to Chapter 8 Objective WH.O3 of the NRP not be accepted, WAL opposes the proposed note that excludes application of the objective and associated Tables 3.1 to 3.3 to Whātua Te Whanganui-a-Tara.	Delete the proposed amendments.
<p>Revers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:</p> <p>(a) Maintaining water quality, or</p> <p>(b) Improving water quality:</p> <ul style="list-style-type: none"> <li>• significant contact recreation freshwater bodies and sites with significant mana whenua values defined in Schedule C and Ngā Taonga Nukunua defined in Schedule B to meet, as a minimum and within reasonable timeframes, the primary contact recreation objectives in Table 3.1, and</li> <li>• coastal water and sites with significant mana whenua values defined in Schedule C and Ngā Taonga Nukunua defined in Schedule B to meet, as a minimum and within reasonable timeframes, the contact recreation objectives in Table 3.3, and</li> <li>• other rivers and lakes and natural wetlands to meet, as a minimum and within reasonable timeframes, the secondary contact recreation objectives in Table 3.2.</li> </ul>			
Note			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>For the purposes of this objective 'a reasonable timeframe' is a date for the application water body or coastal marine area included into this Plan through the plan change/s required by the RMA to implement the National Policy Statement for Freshwater Management 2020, or 2050 if no other date is specified by 31 December 2026.</p> <p><u>Objective O18 does not apply to rivers, lakes, groundwater or coastal water within Whānua Te Whanganu-a-Tara and Te Awarua-o-Porua Whānua. Objective O18 only applies to natural wetlands within Whānua Te Whanganu-a-Tara and Te Awarua-o-Porua Whānua.</u></p> <p>(And associated application of Table 3.1, 3.2 and 3.3).</p>			
<b>3.7 Biodiversity, aquatic ecosystem health and mahinga kai</b>			
<p><b>Objective O19</b></p> <p>Biodiversity, aquatic ecosystem health and mahinga kai in freshwater bodies and the coastal marine area are safeguarded such that:</p> <ul style="list-style-type: none"> <li>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and</li> <li>(b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a freshwater body or coastal marine area is meaningfully improved so that the objective is met within a reasonable timeframe, and</li> <li>(c) restoration of aquatic ecosystem health and mahinga kai is encouraged.</li> </ul> <p>Note</p> <p>For the purposes of this objective 'a reasonable timeframe' is a date for the application water body or coastal marine area included into this Plan through the plan change/s required by the RMA to implement the NPS-FM 2020, or 2050 if no other date is specified by 31 December 2026.</p> <p><u>Objective O19 does not apply to rivers, lakes, groundwater or coastal water within Whānua Te Whanganu-a-Tara and Te Awarua-o-Porua Whānua. Objective O19 only applies to natural wetlands within Whānua Te Whanganu-a-Tara and Te Awarua-o-Porua Whānua.</u></p>	<p>Oppose in part</p>	<p>Should the relief sought by WAL with respect to Chapter 8 of the NRP not be accepted, WAL opposes the proposed note that excludes application of the objective and associated Tables 3.7 and 3.8 to Whānua Te Whanganu-a-Tara.</p>	<p>Delete the proposed amendments.</p>
<b>3.8 Sites with Significant Values</b>			

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p><b>Objective O28</b></p> <p>Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and development, and where appropriate restored to a healthy functioning state including as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</p> <p><u>Note</u></p> <p><u>Tables 3.4, 3.5, 3.6, and 3.8 do not apply in Wha tua Te Whanganu -a-Tara and Te Awarua-o-Porua Wha tua, and are therefore not relevant to defining a healthy functioning state within these wha tua.</u></p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed note that excludes application of the objective and associated Tables 3.7 and 3.8 to Wha tua Te Whanganu -a-Tara.	Delete the proposed amendments.
<p><b>Policies</b></p> <p><b>4.6 Biodiversity, aquatic ecosystem health and mahinga kai</b></p>			
<p>Policy P30: Biodiversity, aquatic ecosystem health and mahinga kai</p> <p>Manage the adverse effects of use and development on biodiversity, aquatic ecosystem health and mahinga kai to:</p> <p><i>Hydrology</i></p> <p>(a) maintain or where practicable restore natural flow characteristics and hydrodynamic processes and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and</p> <p><i>Water Quality</i></p> <p>(b) maintain or improve water quality including to assist with achieving the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O19 <u>or within Wha tua Te Whanganu -a-Tara and Te Awarua-o-Porua Wha tua, the objectives in Chapters 8 and 9, respectively, and</u></p> <p><i>Aquatic habitat diversity and quality</i></p> <p>(c) maintain or where practicable restore aquatic habitat diversity and quality, including:</p> <ul style="list-style-type: none"> <li>. the form, frequency and pattern of pools, runs, and riffles in rivers, and</li> <li>. the natural form of rivers, lakes, natural wetlands and the coastal marine area, and</li> </ul> <p>(d) where practicable restore the connections between fragmented aquatic habitats, and</p> <p><i>Critical habitat for indigenous aquatic species and indigenous birds</i></p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed note that excludes application of the objective and associated Tables 3.7 and 3.8 to Wha tua Te Whanganu -a-Tara.	Delete the proposed amendments.

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(e) maintain or where practicable restore habitats that are important to the life cycle and survival of indigenous aquatic species and the habitats of indigenous birds in the coastal marine area, natural wetlands and the beds of lakes and rivers and the margins that are used for breeding, roosting, feeding, and migration, and</p> <p><i>Critical life cycle periods</i></p> <p>(f) avoid, minimise or remedy adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those species, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more significant, and</p> <p><i>Riparian habitats</i></p> <p>(g) maintain or where practicable restore riparian habitats, and</p> <p><i>Pests</i></p> <p>avoid the introduction, and restrict the spread, of aquatic pest plants and animals.</p>			
<p><b>Policy P36: Restoring Te Awarua-o Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana</b></p> <p>The ecological health and significant values of Te Awarua-o Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana will be restored including by:</p> <p>(a) managing activities, erosion-prone land, and riparian margins to reduce sedimentation rates and pollutant inputs, to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.4 to 3.8, and</p> <p>undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of this policy to Wellington Harbour.	Delete the proposed amendments.
<b>4.9.1 Discharges to land and water</b>			
<p><b>Policy P78: Managing point source discharges for aquatic ecosystem health and mahinga kai</b></p> <p>Where an objective in Table 3.4, Table 3.5, Table 3.6, Table 3.7 or Table 3.8 of Objective O19 is not met, point source discharges to water shall be managed in the following way:</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed note that excludes application of the objective and associated Tables 3.4 and 3.8 to Wha-tua Te Whanganui-a-Tara.	Delete the proposed amendments.

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(a) for an existing discharge that contributes to the objective(s) not being met, the discharge is only appropriate if:</p> <ul style="list-style-type: none"> <li>at a minimum an application for a resource consent includes a defined programme of work for upgrading the discharge, in accordance with good management practice, within the term of the resource consent, and</li> <li>conditions on the resource consent require the adverse effects of the discharge to be minimised in order to improve water quality in relation to the objective(s) not met, and</li> <li>in determining the improvement to water quality required ( ), and the timeframe in which this to be achieved, consideration will be given to the discharge's contribution to the objective(s) not being met,</li> </ul> <p>(b) for a new discharge, the discharge is appropriate if the discharge would cause the affected freshwater body or area of coastal water to decline in relation to the objective(s), except that a new temporary discharge to coastal water from a wastewater network or wastewater treatment plant to facilitate maintenance, repair, replacement or upgrade work that has temporary adverse effects may not be appropriate.</p> <p><u>Note:</u></p> <p><u>This policy on application in Wha-tua Te Whanganu-a-Tara and Te Awarua-o-Porua Wha-tua in regard to natural wetlands (Table 3.7).</u></p>			
<b>Operative NRP Provisions that no longer apply</b>			
<p><b>Objective O2</b></p> <p>The importance and contribution of air, land, water and ecosystems to the social, economic and cultural wellbeing and health of people and the community are recognised in the management of those resources.</p>	Oppose	Objective O2 is a reasonably broad objective that gives effect to the outcomes sought in Part 2 of the RMA. For this reason, it is appropriate for the objective to be retained as part of the Proposed NRP and W AL therefore opposes the proposed excision of these provisions as they relate to Wha-tua Te Whanganu-a-Tara.	Retain the application of operative Objective O2 to Wha-tua Te Whanganu-a-Tara (by removing the symbol).
<p><b>Policy P82: Avoiding inappropriate discharges to water</b></p> <p>Discharges to fresh and coastal water of:</p> <p>(a) untreated wastewater, except as a result of heavy rainfall event overflows, and</p>	Support	W AL supports the proposed excision of this policy to Wha-tua Te Whanganu-a-Tara.	Retain as not fed.



Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(b) an ma effluent from an an ma effluent storage facility or from an area where an ma s are confined, and</p> <p>(c) untreated industrial or trade waste, and</p> <p>(d) untreated organic waste or leachate from storage of organic material,</p> <p>shall be avoided.</p>			
<p><b>Objective O34</b></p> <p>The adverse effects on soil and water from land use activities are minimized, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Objective O36</b></p> <p>The runoff or leaching of contaminants to water from discharges to land is minimized, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Objective O37</b></p> <p>The amount of sediment-aden runoff entering water is minimized, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Objective O38</b></p> <p>The adverse quality and quantity effects of stormwater discharges from stormwater networks and urban land uses are reduced over time.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Policy P30(b): Biodiversity, aquatic ecosystem health and mahinga kai</b></p> <p>Manage the adverse effects of use and development on biodiversity, aquatic ecosystem health and mahinga kai to:</p> <p>Water quality</p> <p>(b) maintain or improve water quality including to assist with achieving the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O19, and</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Policy P77: Improving water quality for contact recreation and Māori customary use</b></p> <p>The quality of fresh water bodies and coastal water shall be improved to meet, over time and as a minimum, the objectives in Table 3.1, 3.2 and 3.3, including by:</p> <p>(a) improving water quality as a first priority for improvement water bodies for secondary contact</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retention application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>with water tested in Schedule H2 (priority water bodies) in accordance with Method M34, and</p> <p>(b) having particular regard to improving water quality in fresh water bodies and coastal water where contact recreation and/or Māori customary use are adversely affected by discharges from stormwater networks, stormwater from a port, or a report, wastewater networks and wastewater treatment plants.</p>			
<p><b>Policy P83: Minimising adverse effects of stormwater discharges</b></p> <p>The adverse effects of stormwater discharges shall be minimised, including by:</p> <p>(a) using good management practice, and</p> <p>(b) taking a source control and treatment train approach to new activities and land uses, and</p> <p>(c) implementing water sensitive urban design in new subdivisions and development, and</p> <p>(d) progressively improving existing stormwater, wastewater, road and other public infrastructure, including durable routine maintenance and upgrade, and</p> <p>(e) managing localised adverse effects, including by addressing particular attributes appropriate to the receiving environment.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retain application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Policy P84: Managing land use impacts on stormwater</b></p> <p><b>Land use, subdivision and development, including stormwater discharges, shall be managed so that runoff volumes and peak flows:</b></p> <p>(a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and</p> <p>(b) do not increase risk to human health or safety, or increase the risk of inundation, erosion or damage to property or infrastructure,</p> <p>including by retaining, as far as practicable, pre-development hydrological conditions in new subdivisions and development.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retain application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).
<p><b>Policy P89: Managing stormwater from a port or airport</b></p> <p>The adverse effects, including the effects on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, of the discharge of stormwater from a port or a report, where the discharge enters water, including through a local authority or state highway stormwater network, shall be minimised by:</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retain application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(a) identifying practices for improvement, including methods and techniques for improvement, in accordance with any relevant objectives identified in the Plan, and</p> <p>(b) having particular regard to protecting sites with identified significant or outstanding values, and</p> <p>(c) implementing good management practice, and</p> <p>(d) where required, progressively improving discharge quality over time.</p>			
<p><b>Rule R54: Stormwater from a port or airport – restricted discretionary activity</b></p> <p>The discharge of stormwater into water, or onto or into and where it may enter a surface water body or coastal water, including through a local authority stormwater network, from a port or airport is a restricted discretionary activity.</p> <p>Matters for decision</p> <ol style="list-style-type: none"> <li>The management of the adverse effects of stormwater capture and discharge, including cumulative effects, of stormwater on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use</li> <li>The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kōwhiri), Schedule C (mana whenua), Schedule F (indigenous biodiversity)</li> <li>Minimisation of the adverse effects of stormwater discharges</li> <li>Requirements of any relevant local authority stormwater network discharge consent</li> </ol>	Oppose in part	Should the relief sought by WAI with respect to Chapter 8 of the NRP not be accepted, WAI opposes the proposed excision of these provisions as they relate to Whātua Te Whanganu-a-Tara.	Retention application of these provisions to Whātua Te Whanganu-a-Tara (by removing the symbol).
<p><b>Rule R55: All other stormwater – discretionary activity</b></p> <p>The discharge of stormwater, including stormwater that may be contaminated by wastewater into water or onto or into and where it may enter water that is not permitted by Rules R48, R49 or R51, or controlled by Rule R52, or a restricted discretionary activity under Rules R50, R53, or R54 is a discretionary activity.</p>	Oppose in part	Should the relief sought by WAI with respect to Chapter 8 of the NRP not be accepted, WAI opposes the proposed excision of these provisions as they relate to Whātua Te Whanganu-a-Tara.	Retention application of these provisions to Whātua Te Whanganu-a-Tara (by removing the symbol).
<p><b>Rule R101: Earthworks – permitted activity</b></p> <p>The use of land, and the associated discharge of sediment into water or onto or into and where it may enter water from earthworks up to a total area of 3,000m<sup>2</sup> per property per 12 month period is a permitted activity, provided the following conditions are met:</p>	Oppose in part	Should the relief sought by WAI with respect to Chapter 8 of the NRP not be accepted, WAI opposes the proposed excision of these provisions as they relate to Whātua Te Whanganu-a-Tara.	Retention application of these provisions to Whātua Te Whanganu-a-Tara (by removing the symbol).

Provision	Position	Reason	Relief Sought (subject to general relief in the covering submission)
<p>(a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</p> <p>(b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and</p> <p>(c) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> <li>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</li> <li>(ii) any conspicuous change in colour or turbidity, or</li> <li>(iii) any emission of objectionable odour, or</li> <li>(iv) the rendering of fresh water unsuitable for consumption by animals, or</li> <li>(v) any significant adverse effect on aquatic life, and</li> </ul> <p>(d) earthworks shall not occur within 5m of a surface water body except for earthworks undertaken in association with Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139, and</p> <p>(e) work areas are stabilised within six months after the completion of the earthworks.</p>			
<p><b>Rule R107: Earthworks and vegetation clearance – discretionary activity</b></p> <p>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks, or vegetation clearance on erosion prone land that is not permitted by Rules R101, R102, R104 and R105, and not controlled by Rule R103, or not restricted discretionary by Rule R106 is a discretionary activity.</p>	Oppose in part	Should the relief sought by W AL with respect to Chapter 8 of the NRP not be accepted, W AL opposes the proposed excision of these provisions as they relate to Wha tua Te Whanganu -a-Tara.	Retain application of these provisions to Wha tua Te Whanganu -a-Tara (by removing the symbol).