

Appendix 4: Recommended Amendments to Provisions and Section 32AA Evaluation

This document sets out only the provisions of the notified version of Proposed Plan Change 1 for which submissions were specifically received.

Provisions as notified are shown in black text. Additions are underlined and deletions are ~~struck through~~. Section 42A recommended amendments are shown in **red text**. Additions are underlined and deletions are ~~struck through~~. Recommended amendments from other S42A reports are shown in **orange text**. Additions are underlined and deletions are ~~struck through~~.


The section 32AA assessment follows alongside for each of the provisions where amendments have been recommended by the officer.

Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
S210.024 S206.035 S206.063	8 Whaitua Te Whanganui-a-Tara	WH.P1	<p><u>Policy WH.P1: Improvement of aquatic ecosystem health</u></p> <p><u>Aquatic ecosystem health</u> will be improved, <u>where deteriorated</u>, by:</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 levels, including where there is interaction of flows between surface water and groundwater, and</u></p> <p>(d) <u>co-ordinating and prioritising work programmes promoting non-regulatory methods that seek to</u></p>	<p>The recommended amendments improve the effectiveness of the policy and provide suitable guidance to plan users about the actions that are expected to improve aquatic ecosystem health and where improvement is needed.</p> <p>There are not expected to be any additional costs beyond those previously considered in the section 32 report. There are benefits for plan users as recommended amendments make it clear that improvements are only necessary in degraded waterbodies, which may also assist with focusing available funding on improving priority locations rather than obliging this everywhere throughout the whaitua.</p> <p>The amendments also make clear that work programmes are non-regulatory methods which may</p>


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			<p style="color: red;">improve aquatic ecosystem health, in accordance with M36-M45 of the plan in catchments that require changes to land use activities that impact on water.</p>	<p>also include other non-regulatory actions outside of methods identified in the plan.</p>
<p>S101.043 S211.010 S240.033 S33.035 S226.004 S105.013 S210.025 S193.068</p>	<p>8 Whaitua Te Whanganui-a-Tara</p>	<p>WH.P2</p>	<p style="color: red;">Policy WH.P2 Management of activities to achieve target attribute states and coastal water objectives</p> <p style="color: red;">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 Action Plans, by:</p> <p style="color: red;">(a) prohibiting unplanned greenfield development and for other greenfield developments minimising the contaminants and requiring financial contributions as to offset adverse effects from residual stormwater contaminants, and</p> <p style="color: red;">(b) encouraging redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and</p> <p style="color: red;">(c) imposing hydrological controls on urban development and stormwater discharges to rivers</p> <p style="color: red;">(d) requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</p>	<p>The recommended amendments remove unnecessary duplication with the requirements of more specific provisions (policies, rules and schedules) of PC1 and the NRP and support implementation by deferring guidance on the management of activities to the relevant activity specific provisions.</p> <p>There are expected to be no additional costs as the direction provided by this policy is already included in the more activity specific provisions of the plan.</p> <p>In relation to stock exclusion, recommended amendments support implementation of the plan change by removing a policy clause that was inconsistent with the detailed policy provisions of the plan.</p> <p>In relation to riparian planting, recommended amendments (to this policy and WH.P27 below) address a gap in PC1 as notified related to the use of riparian planting to support improvements to aquatic ecosystem health by reducing effects of nutrients in diffuse charges and sediment through stabilising stream banks.</p>


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			<p>(e) stabilising stream banks by excluding livestock from waterbodies and planting riparian margins with indigenous vegetation, and</p> <p>(f) requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</p> <p>(g) soil conservation treatment, including revegetation with woody vegetation, of land with high erosion risk, and</p> <p>(h) requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</p>	
S193.070 S193.071	8 Whaitua Te Whanganui-a-Tara	WH.P4 	<p><u>Policy WH.P4: Achievement of the visual clarity target attribute states</u></p> <p><u>To achieve the visual clarity target attribute states in Table 8.4 in part Freshwater Management Units where the target attribute state is:</u></p> <p>(a) <u>met, the mean annual sediment load must be at least maintained, and</u></p> <p>(b) <u>where it is not met, a percentage reduction in the mean annual sediment load must be—achieved reduced as set out in Table 8.5.</u></p> <p>[refer below for Table 8.5]</p>	<p>The amendments to the sediment load reductions in the table respond to the new scientific evidence on the annual sediment load levels that are expected to be necessary to meet the visual clarity TAS in those part-FMUs where the objectives identify an improvement is necessary. The numbers have been updated to reflect the latest modelling predictions on the annual level of reduction expected. In the case of ‘Te Awa Kairangi rural streams and rural mainstems’ part-FMU, this is a material reduction to recognise the natural colour issues in the Mangaroa area due to the presence of peat. The other changes are minor, and where a slightly larger load reduction is recommended, this is simply reflective of the slight deterioration of existing conditions against the target in the time elapsed since the initial modelling work was completed.</p>

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				<p>Costs will reduce for the ‘Te Awa Kairangi rural streams and rural mainstems’ part-FMU as the TAS for this location is reduced (more lenient), and so this load reduction is also reduced.</p> <p>The plan effectiveness benefit is the better alignment between this policy and the associated TAS objectives it gives effect to.</p> <p>The environmental benefits are unchanged other than for ‘Te Awa Kairangi rural streams and rural mainstems’ where the TAS (and this load reduction) has now been set at a more realistic level, in light of the revised provisions accommodating the natural impacts to visual clarity, i.e., the previous target would have been unachievable due to natural sources impacting visual clarity.</p>
S193.068 S193.071		WH.P27 	<p><u>Policy WH.P27: Promoting stream shading riparian planting to improve aquatic ecosystem health</u></p> <p><u>Contribute to the achievement of aquatic ecosystem health by promoting riparian planting to:</u></p> <p><u>(a) stabilise stream banks to reduce stream bank erosion; and</u></p> <p><u>(b) the progressively shadeing streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 8.4.</u></p>	<p>Recommended amendments address a gap in PC1 as notified related to the use of riparian planting to stabilise stream banks and reduce sediment to support improvements to aquatic ecosystem health.</p> <p>The proposed amendments will not lead to any material additional costs for landowners as the amendment just recognises the dual benefits achieved by the regulatory and non-regulatory methods for planting in PC1.</p> <p>Any costs are outweighed by the benefits afford by additional climate resilience and the positive social and environmental benefits through improvements to water quality achieved through the proposed amendments.</p>

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S210.024 S206.035 S206.063	9. Te Awarua-o-Porirua Whaitua	P.P1	<p><u>Policy P.P1: Improvement of aquatic ecosystem health</u> </p> <p>Aquatic ecosystem health will be improved, where deteriorated, by:</p> <p>(a) progressively reducing the load or concentration of contaminants, particularly sediment, nutrients, pathogens and metals, entering water, and</p> <p>(b) restoring habitats, and</p> <p>(c) enhancing the natural flow regime of rivers and managing water flows and levels, including where there is interaction of flows between surface water and groundwater, and</p> <p>(d) co-ordinating and prioritising work programmes promoting non-regulatory methods that seek to improve aquatic ecosystem health, in accordance with M36-M45 of the plan in catchments that require changes to land use activities that impact on water.</p>	<p>The recommended amendments improve the effectiveness of the policy and provide suitable guidance to plan users about the actions that are expected to improve aquatic ecosystem health and where improvement is needed.</p> <p>There are not expected to be any additional costs. There are benefits for plan users as recommended amendments make it clear that improvements are only necessary in degraded waterbodies, which may also assist with focusing available funding on improving priority locations rather than obliging this everywhere throughout the whaitua.</p> <p>The amendments also make clear that work programmes are non-regulatory methods which may also include other non-regulatory actions outside of methods identified in the plan.</p>
S101.043 S211.010 S240.033 S33.035 S226.004 S105.013 S210.025 S193.068	9. Te Awarua-o-Porirua Whaitua	P.P2	<p>Policy P.P2 Management of activities to achieve target attribute states and coastal water objectives</p> <p>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 Action Plans, by:</p> <p>(a) prohibiting unplanned greenfield development and for other greenfield developments minimising the contaminants and requiring</p>	<p>The recommended amendments remove unnecessary duplication and inconsistency with the requirements of more specific provisions (policies, rules and schedules) of PC1 and the NRP and support implementation by leaving management of activities to be directed by relevant activity specific policies.</p> <p>There are expected to be no additional costs as the direction provided by this policy is already included in the more activity specific provisions of the plan.</p>


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			<p>financial contributions as to offset adverse effects from residual stormwater contaminants, and</p> <p>(b) encouraging redevelopment activities within existing urban areas to reduce the existing urban contaminant load, and</p> <p>(c) imposing hydrological controls on urban development and stormwater discharges to rivers, and</p> <p>(d) requiring a reduction in contaminant loads from urban wastewater and stormwater networks, and</p> <p>(e) stabilising stream banks by excluding livestock from waterbodies and planting riparian margins with indigenous vegetation, and</p> <p>(f) requiring the active management of earthworks, forestry, cultivation, and vegetation clearance activities, and</p> <p>(g) soil conservation treatment, including revegetation with woody vegetation, of land with high erosion risk, and</p> <p>(h) requiring farm environment plans (including Freshwater Farm Plans) to improve farm practices that impact on freshwater.</p>	<p>In relation to stock exclusion, recommended amendments support implementation of the plan by removing requirements that were inconsistent with the activity specific provisions of the plan change, noting there are no stock exclusion requirements for TAO P.</p> <p>In relation to riparian planting, recommended amendments (to this policy and P.P25 below) address a gap in PC1 related to the use of riparian planting to both support improvements to aquatic ecosystem health by reducing effects of nutrients in diffuse charges and sediment loss through stabilising stream banks.</p>




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<p>S193.070 S193.071 S261.144 S193.122 S275.013</p>	<p>9. Te Awarua-o-Porirua Whaitua</p>	<p>P.P4</p>	<p><u>Policy P.P4: Achievement of the visual clarity target attribute states</u></p> <p><u>To achieve the visual clarity target attribute states in Table 9.4 in part Freshwater Management Units where the target attribute state is:</u></p> <p>(a) <u>met, the mean annual sediment load must be at least maintained, and</u></p> <p>(b) <u>where it is not met, a percentage reduction in the mean annual sediment load must be achieved as set out in Table 9.4.</u></p> <p><u>Contaminant load reductions</u></p> <p><u>To achieve the coastal water objectives in Table 9.1 the Plan will manage land use activities and discharges into freshwater bodies and the coastal marine area to meet the sediment, zinc and copper load reductions for each harbour arm catchment as set out in Table 9.3:</u></p> <p>[refer below for Table 9.3]</p> <p><u>In addition to the harbour arm catchment load reductions, the mean annual sediment load must be reduced in the Takapū part Freshwater Management Unit as set out in Table 9.4 by 2040 to achieve the visual clarity target attribute states in Table 9.2:</u></p> <p>[refer below for Table 9.4]</p>	<p>The amendments to the sediment load reductions respond to the new scientific evidence on the annual sediment load levels that are expected to be necessary to meet the part-FMU (Takapū) requiring an improvement (in Table 9.4). The load reduction numbers have been updated to reflect latest modelling predictions on the annual level of reduction likely needed to meet the improvement specified in the associated objective. In the case of the Table 9.3 coastal sediment and metal load reductions, that content has been removed on the basis that the load reductions required for sediment were not sufficiently certain for inclusion in the plan. In addition, the metal load reductions to offset for PC1 sediment load reductions are no longer required to manage ecotoxicology effects based on the new science undertaken as preparation for this hearing.</p> <p>Costs will reduce for the new (more lenient) Porirua Harbour sedimentation rate objectives that accommodate natural sedimentation rates. This is not materially affected by the removal of the sediment load targets.</p> <p>The metal load reductions have also been removed on the basis of further scientific evidence. This has been on the basis that there are no ecosystem toxicity effects needing to be avoided by metal load reductions commensurate with the expected sediment load reductions for the Porirua Harbour. On this basis, the revised policy better aligns with the technical evidence and the objectives and is more effective as a result.</p> <p>The environmental benefits are arguably lessor for the Porirua Harbour arm catchments but more realistic as previously they essentially required management of</p>
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				<p>sedimentation to natural state (pre-human) levels. The objectives now discount natural state sedimentation and do not penalise unnecessarily for metal loads where such limits are not justified from an ecotoxicology perspective.</p>
S193.068		<p>P.P25 </p>	<p><u>Policy P.P25: Promoting stream shading riparian planting to improve aquatic ecosystem health</u></p> <p>Contribute to the achievement of aquatic ecosystem health by promoting <u>riparian planting to:</u></p> <p>(a) <u>stabilise stream banks to reduce stream bank erosion; and</u></p> <p>(b) the progressively shadeing streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states</p>	<p>Recommended amendments address a gap in PC1 as notified related to the use of riparian planting to stabilise stream banks and reduce sediment to support improvements to aquatic ecosystem health.</p> <p>The proposed amendments will not lead to any material additional costs for landowners as the amendment really just recognises the dual benefits achieved by the regulatory and non-regularly methods elsewhere in PC1 which relate to riparian planting. Noting also that landowner costs are expected to be offset by funding provided by the Porirua Harbour Riparian Programme focused on encouraging planting to reduce sediment loss. Any costs are outweighed by the benefits afford by additional climate resilience and the positive social and environmental benefits through improvements to water quality achieved through the proposed amendments.</p>

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N/A	4. Policies	Policy P65 	  <p>Policy P65: National Policy Statement for Freshwater Management requirements for discharge consents</p> <p>When considering any application for a discharge the consent authority shall have regard to the following matters:</p> <p>(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water, and</p> <p>(b) the extent to which it is feasible and dependable that any more than minor adverse effects on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided, and</p> <p>(c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with fresh water, and</p> <p>(d) the extent to which it is feasible and dependable that any more than minor adverse effects on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided.</p> <p>This policy applies to the following discharges (including a diffuse discharge by any person or animal):</p> <p>(a) a new discharge, or</p> <p>(b) a change or increase in any discharge of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the</p>	Clause 16 change to an icon is included in the decisions version of PC1 in accordance with the proposal to include one on page 21 of the notified version of PC1.
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			<p>discharge of that contaminant, any other contaminant) entering fresh water.</p> <p>Sections (a) and (b) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011. Sections (c) and (d) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect (1 August 2014).</p>	

Table 8.5: Sediment load reductions required to achieve the visual clarity target attribute states

<u>Part Freshwater Management Unit</u>	<u>Target attribute state site</u>	<u>Timeframe</u>	<u>Median visual clarity 'baseline' 2012-2017 (m)</u>	<u>Baseline dSedNet mean annual load (t/year)</u>	<u>% reduction in baseline dSedNet mean annual load Suspended sediment load reduction to meet visual clarity target</u>
<u>Te Awa Kairangi rural streams and rural mainstems</u>	<u>Mangaroa River at Te Marua</u>	<u>2040</u>	<u>1.5</u>	<u>10,965</u>	<u>-51% -17%</u>
<u>Te Awa Kairangi lower mainstem</u>	<u>Hutt River at Boulcott</u>	<u>2040</u>	<u>2.4</u>	<u>102,303</u>	<u>-24% -25%</u>
<u>Wainuiomata urban streams</u>	<u>Black Creek at Rowe Parade end</u>	<u>2040</u>	<u>1.3</u>	<u>382</u>	<u>-50%</u>
<u>Wainuiomata rural streams</u>	<u>Wainuiomata River downstream of White Bridge</u>	<u>2040</u>	<u>2.1</u>	<u>12,243</u>	<u>-7% -8%</u>
<u>Parangārehu catchment streams and south-west coast rural streams</u>	<u>Mākara Stream at Kennels</u>	<u>2040</u>	<u>1.6</u>	<u>4,437</u>	<u>-34% -38%</u>

Table 9.3: Harbour arm catchment contaminant load reductions

<u>Coastal Water Management Unit (Map 82)</u>	<u>Contaminant</u>	<u>Timeframe</u>	<u>% reduction in baseline total load</u>
<u>Onepoto Arm</u>	<u>Sediment</u>	<u>By 2040</u>	<u>-40%</u>
	<u>Zinc</u>		<u>-40%</u>
	<u>Copper</u>		<u>-40%</u>
<u>Pāuatahanui Inlet</u>	<u>Sediment</u>		<u>-40%</u>
	<u>Zinc</u>		<u>-40%</u>
	<u>Copper</u>		<u>-40%</u>

Table 9.4: Part Freshwater Management Unit sediment load reductions required to achieve the visual clarity target attribute state

<u>Part-Freshwater Management Unit</u>	<u>Target attribute state site</u>	<u>Timeframe</u>	<u>Median visual clarity 'baseline' 2012-2017 (m)</u>	<u>Baseline dSedNet mean annual load (t/year)</u>	<u>% reduction in baseline dSedNet mean annual load Suspended sediment load reduction to meet visual clarity target</u>
<u>Takapū</u>	<u>Pāuatahanui Stream at Elmwood Bridge</u>	<u>By 2040</u>	<u>1.8</u>	<u>2311</u>	<u>-24% -26%</u>