

4. Policies

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4.1 Ki uta ki tai and integrated catchment management

Policy P1: Ki uta ki tai and integrated catchment management



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

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

- (b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and
- (c) coordinated management, with decisions based on best available information and improvements in technology and science,¹ and
- (d) taking into account the connected nature of resources and **natural processes** within a catchment, and
- (e) recognising links between environmental, social, cultural and economic sustainability of the catchment.

Policy P2: Cross-boundary matters



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

Policy P3: Precautionary approach



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

Policy P4: Minimising adverse effects



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

- (a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and
- (b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and
- (c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and
- (d) using **good management practices** for reducing the adverse effects of the activity, and
- (e) designing the activity so that the scale or footprint of the activity is as small as practicable.

¹ S42A Report: Overall policy framework of the proposed Plan – Part B, Issue 4.2

² S42A Report: Overall policy framework of the proposed Plan – Part B, Issue 4.4

Policy P5: Review of existing consents



The conditions of **existing resource consents** to discharge contaminants to fresh water or coastal water, and to take and use water, may be reviewed pursuant to section 128 of the Resource Management Act 1991 in respect of future changes to the Plan.

Policy P6: Synchronised expiry and review dates



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

- (a) the affected resource is fully allocated or over-allocated, or
- (b) the exercise of the resource consent may impede the ability to implement an integrated **approachsolution**³ to manage water quality, quantity or habitat within that **whaitua** or **sub catchment**.

4.2 Beneficial use and development

Policy P7: Uses of land and water



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

- (a) aquaculture, and
- (b) treatment, dilution and disposal of **wastewater** and **stormwater**, and
- (c) industrial processes and commercial uses associated with the potable water supply network, and
- (d) community and domestic water supply, and
- (e) electricity generation, and
- (f) food production and harvesting, and
- (g) gravel extraction from rivers for flood protection and control purposes, and
- (h) irrigation and stock water, and
- (i) firefighting, and
- (j) contact recreation and **Māori customary use**, and
- (k) transport along, and access to, water bodies, **and**⁴
- (l) quarrying, and hard-rock quarries⁵
- (m) plantation forestry⁶

³ S42A Report: Overall policy framework of the proposed Plan – Part B, Issue 4.6

⁴ S42A Report: Beneficial use and development, Issue 1.3

⁵ RoR report: Beneficial use and development

⁶ RoR report: Beneficial use and development

shall be recognised.

Policy P8: Beneficial activities



The following activities are recognised as beneficial and generally appropriate:

- (a) activities for the purpose of restoring natural character, **aquatic ecosystem health, mahinga kai**, outstanding water bodies, sites with significant **mana whenua** values, and sites with significant indigenous biodiversity values, and
- (b) activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and
- (c) day-lighting of piped streams, and
- (d) removal of aquatic weeds, ~~and~~ pest plants and animal pests⁷, and
- (e) the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular **livestock** access from a water body, and
- (f) the retirement, fencing and planting and management⁸ of riparian margins, and
- (g) the retirement of **erosion prone land** from **livestock** access, and
- (h) maintenance, ~~and~~ use and upgrade⁹¹⁰ of existing structures in the coastal marine area, **natural wetlands** and the beds of rivers and lakes, and
- (i) removal of dangerous or derelict structures in the coastal marine area, **natural wetlands** and beds of lakes and rivers, and
- (j) structures necessary to provide for monitoring resource use or the state of the environment in the coastal marine area, **natural wetlands** and beds of lakes and rivers, and
- (k) activities necessary to maintain safe navigation, and
- (l) artworks that support and enhance public open space.

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



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

⁷ S42A Report: Beneficial use and development, Issue 2.2

⁸ S42A Report: Beneficial use and development, Issue 2.2

⁹ RoR report: Beneficial use and development

¹⁰ S42A Report: Beneficial use and development, Issue 2.2

¹¹ S42A Report: Beneficial use and development, Issue 3.2

¹² S42A Report: Beneficial use and development, Issue 3.2

- (a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or
- (b) protect public health and safety, or
- (c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and

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

Policy P10: Contact recreation and Māori customary use



Use and development ~~The management of natural resources~~ shall have particular regard to the actual and potential ~~avoid, remedy or mitigate any~~¹⁴ adverse effects on contact recreation and **Māori customary use** in fresh and coastal water, including by:

- (a) providing water quality and, in rivers, flows suitable ~~for the community's objectives~~ for contact recreation and **Māori customary use**, and
- (b) managing activities to maintain or enhance contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and
- (c) encouraging improved access to suitable swimming locations, and
- (d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area.

Policy P11: In-stream water storage

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

- (a) there are significant social and economic benefits for the region, and
- (b) water remains available for multiple in-stream and out of stream uses concurrently, and
- (c) the reliability of water supply improves as a result, and

¹³ S42A Report: Beneficial use and development, Issue 3.2

¹⁴ S42A Report: Water quality, Issue 4.4

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

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



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

- (a) the strategic integration of infrastructure and land use, and
- (b) the location of existing infrastructure and structures, and
- (c) the need for **renewable energy generation activities** to locate where the renewable energy resources exist, and
- (d) the **functional need** for port activities to be located within the coastal marine area, and
- (e) **operational requirements** associated with developing, operating, maintaining and upgrading **regionally significant infrastructure** and **renewable energy generation activities**.

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



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

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



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

Policy P15: Flood protection activities



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

Policy P16: New flood protection and erosion control



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


4.3 Māori relationships

Policy P17: Mauri



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

- (a) managing the individual and cumulative adverse¹⁵ effects of activities that may impact on **mauri** in the manner set out in the rest of the Plan, and
- (b) providing for activities that sustain and enhance **mauri**, and
- (c) recognising the role of kaitiaki in sustaining **mauri**.

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

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

- (a) having particular regard to the values and **Ngā Taonga Nui a Kiwa huanga** identified in Schedule B (Ngā Taonga Nui a Kiwa) when applying for, and making decisions on resource consent applications, and developing Whaitua Implementation Programmes, and
- (b) ~~(e)~~ informing iwi authorities of relevant resource consents relating to **Ngā Taonga Nui a Kiwa**, and
- (c) recognising the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on ngā huanga o Ngā Taonga Nui a Kiwa or on the significant values of a Schedule C site which is located downstream, and
- (d) ~~(b)~~ working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement supporting iwi-led restoration initiatives within **Ngā Taonga Nui a Kiwa**, and
- (e) the Wellington Regional Council and iwi authorities implementing **kaupapa Māori** monitoring of **Ngā Taonga Nui a Kiwa**.

Note

~~The whaitua committees will take all reasonable steps to reflect the mana whenua values and interests for Ngā Taonga Nui a Kiwa in the development of Whaitua Implementation Programmes.~~¹⁶

Policy P19: Māori values 

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

Policy P20: Exercise of kaitiakitanga 

Kaitiakitanga shall be recognised and provided for by:

- (a) managing ~~activities natural and physical resources~~¹⁷ in sites with significant **mana whenua** values listed in Schedule C (mana whenua)

¹⁵ S42A Report : Overall policy framework of the proposed Plan – Part B, Issue 5.2

¹⁶ RoR Report: Areas and sites with significant mana whenua values, Section 4 (addresses all changes to Policy P18)

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

- (b) the identification and inclusion of **mana whenua** attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and
- (c) identification of **mana whenua** values and attributes and their application through **tikanga** and **kaupapa Māori** in the maintenance and enhancement of **mana whenua** relationships with **Ngā Taonga Nui a Kiwa**.

Policy P21: Statutory acknowledgements



Wellington Regional Council will:

- (a) include any relevant statutory acknowledgments in Schedule D (statutory acknowledgements) for public information, and
- (b) have regard to any relevant statutory acknowledgment in Schedule D (statutory acknowledgements) when processing resource consent applications.

4.4 Natural form and function

4.4.1 ~~Estuaries and harbours~~

~~Policy P22: Ecosystem values of estuaries~~



~~Significant adverse effects on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as a nursery for important fish stocks, shall be avoided.¹⁸~~

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



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

- (a) ~~managing activities to reduce sedimentation rates and pollutant inputs, and~~
- (b) ~~managing erosion prone land and riparian margins in their catchments, and~~
- (c) ~~undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.¹⁹~~

¹⁷ S42A Report : Overall policy framework of the proposed Plan – Part B, Issue 5.3.

¹⁸ S42A Report :Wetlands and Biodiversity. Issue 3 (Refer to Policy P39A)

¹⁹ S42A Report :Wetlands and Biodiversity. Issue 3 (Refer to Policy P38A)

4.4.2 Natural character

Policy P24: Outstanding natural character



Areas of outstanding natural character in the coastal marine area, [and natural wetlands, lakes and rivers](#)²⁰ will be preserved by:

- (a) avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and
- (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and
- (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and
- (d) maintaining the high levels of naturalness of these areas, and
- (e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.

[Additional Policy P24A: Outstanding natural character: To assess if an area has outstanding natural character the matters in RPS Policy 3\(a\), 3\(b\) and 3\(c\) will be taken into account; and an area will be determined as having outstanding natural character when the natural character of an area is exceptional or out of the ordinary; and its natural components dominate over the influence of human activity. Note: Natural character assessments: RPS Policies 35 and 36 also apply.](#)²¹

Policy P25: Natural character



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

- (a) the extent of human-made changes to landforms, vegetation, biophysical elements, **natural processes** and patterns, and the movement of water, and
- (b) the presence or absence of structures and buildings, and
- (c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, ~~and~~²²

²⁰ Supplementary Response Natural Form & Function, Hearing 3, 12 January 2018.

²¹ Supplementary Response Natural Form & Function, Hearing 3, 12 January 2018.

²² Supplementary Response Natural Form & Function, Hearing 3, 12 January 2018.

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

 - (i) ~~using an alternative location, or form of development that would be more appropriate to that location, and~~
 - (ii) ~~considering the extent to which **functional need** or existing use limits location and development options.~~~~
- ~~(d) alternative locations, design or form of development that have less adverse effects, and~~
- ~~(e) the extent to which the activity has a functional need to be located in the coastal marine area that limits location and development options, and²³~~
- ~~(f)(e) the ecosystems, natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in **natural wetlands**, rivers and lake and their margins.²⁴~~

Additional Policy P25A Natural character: To assess if an area has high natural character the matters in RPS Policy 3(a), 3(b) and 3(c) will be taken into account; and an area will be determined as having high natural character when the natural character is slightly modified or unmodified, and there are no apparent buildings, structures or infrastructure.²⁵

Note: Natural character assessments: RPS Policies 35 and 36 also apply.²⁶

4.4.3 Natural processes

Policy P26: Natural processes



Use and development will be managed to minimise effects on the integrity and functioning of **natural processes** by:²⁷

- ~~(a) considering alternative locations and methods for undertaking the activity that would have less adverse effects, and~~
- ~~(b) locating away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and~~
- ~~(c) timing the activity, or the adverse effects of the activity, to avoid times when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and~~
- ~~(d) using good management practices, and~~
- ~~(e) designing the activity so that the effects of the scale or footprint of the activity is as small as practicable.~~

²³ Supplementary response Natural form and function, Hearing 3, 12 January 2018.

²⁴ S42A Report: Natural form and function, Issue 4

²⁵ Supplementary response Natural form and function, Hearing 3, 12 January 2018.

²⁶ Supplementary response Natural form and function, Hearing 3, 12 January 2018.

²⁷ Supplementary response Natural form and function, Hearing 3, 12 January 2018.

4.5a Natural hazards

Policy P27: High hazard areas



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

- (a) they have a **functional need** or **operational requirement** or there is no practicable alternative to be so located, and
- (b) the **risk** to the development and/or **residual risk** after hazard mitigation measures, assessed using a **risk-based approach**, is ~~low~~ acceptable²⁸, and
- (c) the development does not cause or exacerbate natural hazards in other areas, and
- (d) ~~interference with~~ adverse effects on **natural processes** (coastal, riverine²⁹ and lake fluvial and lacustrine processes) is minimised avoided, remedied, or mitigated, and
- (e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise, over at least the next 100 years are taken into account.

Policy P28: Hazard mitigation measures



Hard engineering mitigation and protection methods shall be avoided except:

~~(a)~~³⁰ where it is necessary to protect **existing**³¹ development from unacceptable **risk**, assessed using the **risk-based approach**; and

~~(b) the development demonstrates a functional need or operational requirement to locate in a particular location; and~~

~~(i) (a) any adverse effects are no more than minor, or where the environmental effects are more than minor the works either form part of a hazard risk management strategy; or~~

~~(ii) (b) where the environmental effects are more than minor the works form part of a hazard risk management strategy. any adverse effects are no more than minor and are otherwise avoided, remedied or mitigated. the environmental effects are considered to be no more than minor.~~

Policy P29: Effects³² of ~~C~~climate change



Particular regard shall be given to the potential for climate change to threaten biodiversity, aquatic ecosystem health and mahinga kai, or to cause or

²⁸ S42A report: Natural Hazards: issue 4.

²⁹ RoR Rpoert: Natural hazards, issue 4.7.

³⁰ RoR Report: Natural hazards, issue 5.3.

³¹ S42A report: Natural Hazards: issue 5.

³² S42A report: Natural Hazards: issue 6.

exacerbate natural hazard events over the next 100 years that could adversely affect use and development including:

- (a) coastal erosion and inundation (**storm surge**), and
- (b) river and lake flooding and erosion, ~~or~~ aggradation, decreased minimum flows, and
- (c) **stormwater** ponding and impeded drainage, and
- (d) relative sea level rise, using ~~the best available guidance~~³³ reliable scientific data for the Wellington Region.

Policy P30: Natural buffers



Provide for the restoration or enhancement of ~~The adverse effects of use and development on~~³⁴ natural features such as beaches, dunes or **natural**³⁵ **wetlands** that buffer development from natural hazards shall be and ensure the adverse effects of use and development on them are minimised, ~~and the restoration and enhancement of natural buffers shall be provided for.~~

³³ RoR Report: Natural hazards, issue 6.

³⁴ RoR Report: Natural hazards, issue 7.

³⁵ S42A report: Natural Hazards: issue 7.

4.5 **Biodiversity, Aquatic ecosystem health and mahinga kai**

Policy P31: Aquatic ecosystem health and mahinga kai ³⁶



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

Hydrology

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

Water quality

- (b) maintain or improve water quality to meet the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O25, and

Aquatic habitat diversity and quality

- ~~(bc)~~ ~~minimise adverse effects on~~ maintain or restore aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and the coastal habitats marine area, and

- (d) restore the connections between fragmented aquatic habitats, and³⁷

Critical habitat for indigenous aquatic species and indigenous birds

- ~~(ede)~~ ~~minimise adverse effects on~~ maintain or 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 their margins that are used for breeding, roosting, feeding, and migration, and

Critical life cycle periods

- ~~(def)~~ avoid, minimise, or remedy ~~minimise~~ adverse effects on aquatic species, including the disturbance of the bed or banks of a river or lake, at times which will most affect the breeding, spawning, and dispersal or migration of those aquatic species, including fish and koura, and indigenous bird species that are dependent on aquatic habitat, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, and

³⁶ S42A Report: Wetlands and Biodiversity: Issue 4 (all changes to Policy P31)

³⁷ RoR Report: Wetlands and biodiversity, issue 41.

Fish passage


- ~~(ef) — avoid creating barriers to the migration or movement of indigenous aquatic species and trout, except where this is required for the protection of indigenous fish and koura populations, and~~
- ~~(g) — restore the connections between fragmented aquatic habitats, including the passage of indigenous fish and koura, where this is appropriate for the management and protection of indigenous aquatic species, and~~

Riparian habitats

- ~~(fhg) — minimise adverse effects on maintain or restore riparian habitats and restore them where practicable, and~~

Pests

- ~~(gih) — avoid the introduction, and restrict the spread, of aquatic pest plants and animals.~~

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

Significant aAdverse effects on biodiversity, aquatic ecosystem health and mahinga kai shall be managed by:

- (a) avoiding significant adverse effects, and
- (b) where significant adverse effects cannot be avoided, remedying minimising them, and
- (c) where significant adverse effects cannot be remedied, mitigating them completely³⁸ avoided and/or minimised they are remedied on-site, and
- (d) where significant residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.

Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedule G1 (biodiversity mitigation) and Schedule G2 (biodiversity offsetting).³⁹

Policy P33: Protecting indigenous fish habitat

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

³⁸ RoR Report: Wetlands and biodiversity, issue 5.

³⁹ Section 42A: Wetlands and Biodiversity, Issue 5

- (a) ~~discharges of contaminants, including sediment, and~~
- (b) ~~disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and~~
- (c) ~~damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.~~⁴⁰

Policy P34: Fish passage



The construction or creation of new barriers to the passage of ~~indigenous aquatic species, including~~ fish and koura species shall be avoided, except where this is required for the protection of indigenous fish and koura populations.⁴¹

Policy P35: Restoring fish passage



The passage of indigenous fish and koura shall be restored where this is appropriate for the management and protection of indigenous fish and koura populations.⁴²

~~Policy P36: Effects on indigenous bird habitat~~



~~The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be minimised.~~⁴³

Policy P37: Values of wetlands



Activities in and adjacent to **natural wetlands** shall be managed to maintain and, where appropriate, restore their condition and⁴⁴ their values including:

- (a) as habitat for indigenous flora and fauna, and
- (b) for their significance to **mana whenua**, and
- (c) for their role in the hydrological cycle including flood protection, and
- (d) for nutrient attenuation and sediment trapping, and
- (e) as a fisheries resource, and
- (f) for recreation, and
- (g) for education and scientific research.⁴⁵

⁴⁰ Section 42A: Wetlands and Biodiversity, Issue 4 (refer to Policy P41A)

⁴¹ RoR Report: Wetlands and biodiversity, issue 4.1.

⁴² RoR Report: Wetlands and biodiversity, issue 4.1.

⁴³ Section 42A: Wetlands and Biodiversity, Issue 4 (refer to Policy P31(d)(e) and Policy P41A)

⁴⁴ RoR Report: Wetlands and biodiversity, issue 4.3.

Note

The adverse effects of activities on the significant indigenous biodiversity values of natural wetlands are managed under Policies P40 to P42.

Policy P38: Restoration of wetlands



The **restoration of natural wetlands** and the construction of artificial wetlands to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.7 and 3.8,⁴⁶ to provide habitat for indigenous flora and fauna, and to carry out the physical and ecological functions of **natural wetlands**, shall be encouraged and supported⁴⁷.

Policy ~~P23~~**P38A**: Restoring estuaries, harbours and other low energy environments, in particular Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and ~~Lake~~ Wairarapa Moana

Activities that restore the health and function of estuaries and harbours and other low energy receiving environments⁴⁸ to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.2, 3.3, 3.5, 3.7 and 3.8 shall be encouraged and supported. In particular, ~~the~~ ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and ~~Lake~~ Wairarapa Moana will be restored ~~overtime~~ by:

- (a) managing activities, erosion-prone land, and riparian margins to reduce sedimentation rates and pollutant inputs, and
- ~~(b) managing erosion-prone land and riparian margins in their catchments, and~~
- (eb) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.⁴⁹

4.6 Sites with significant values

4.6.1 Outstanding water bodies

Policy P39: Adverse effects on outstanding water bodies

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

4.6.1A Managing adverse effects on aquatic ecosystems, habitats and species within the coastal marine area⁵⁰

⁴⁵ Section 42A: Wetlands and Biodiversity, Issue 4

⁴⁶ S42A Report: Wetlands and Biodiversity, Issue 2.2

⁴⁷ S42A Report: Wetlands and Biodiversity, Issue 4

⁴⁸ RoR Report: Wetlands and biodiversity, issue 3.2.

⁴⁹ S42A Report :Wetlands and Biodiversity. Issue 3

⁵⁰ S42A Report :Wetlands and Biodiversity. Issue 3

Policy ~~P22-39A: Ecosystem values of estuaries~~ Managing adverse effects on Indigenous biodiversity values aquatic ecosystems, habitats and species⁵¹ within the coastal marine area

To ~~manage~~ protect the indigenous biodiversity values of aquatic ecosystems, habitats and species, use and development within the coastal marine area shall:

- a) Avoid adverse effects on:
- i. indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as threatened by the IUCN International Union for Conservation of Nature and Natural Resources;
 - ii. indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare;
 - iii. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
 - iv. areas in the coastal environment containing nationally significant examples of indigenous community types;
 - v. areas set aside for full or partial protection of indigenous biological diversity under other legislation.
- b) Avoid ~~S~~significant adverse effects, and avoid, minimise, and/or remedy other adverse effects ,of activities on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as nursery for important fish stocks, ~~shall be avoided.~~⁵²

4.6.2 Sites with significant indigenous biodiversity value

Policy P40: Ecosystems and habitats with significant indigenous biodiversity values



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

- (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and
- (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and
- (c) **significant natural wetlands**, including the **significant natural wetlands** identified in Schedule F3 (identified⁵³ significant natural wetlands), and

⁵¹ RoR Report: Wetlands and biodiversity, issue 3.1.

⁵² S42A Report :Wetlands and Biodiversity. Issue 3

⁵³ RoR Report: Wetlands and biodiversity, issue 6.5.

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

Note -

All natural wetlands in the Wellington Region are considered to be significant natural wetlands as they meet at least two of the criteria listed in Policy 23 of the Regional Policy Statement 2013 for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values; being representativeness and rarity.

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

In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities that risk causing adverse effects on the values of a significant site⁵⁴, other than activities carried out in accordance with a **wetland**⁵⁵ **restoration management plan**, shall avoid these ecosystems and habitats.

If the ecosystem or habitat cannot be avoided, (except for those ecosystems and habitats identified in Policy P40 (b), (c) and (d) that are identified and which are⁵⁶ managed by Policy P39(A(a)), the adverse effects of activities shall be managed by:

- (a) avoiding more than minor adverse effects, and
- (b) where more than minor adverse effects cannot be avoided, minimising remedying them, and
- (c) where more than minor adverse effects cannot be completely avoided and/or minimised, they are remedied on-site ~~remedied, mitigating them~~, and
- (d) where **residual adverse effects** remain ~~it is appropriate to consider~~ the use of **biodiversity offsets** may be required ~~proposed or agreed to by the applicant~~⁵⁷.

Proposals for **biodiversity mitigation** and **biodiversity offsetting** will be assessed against the principles listed in Schedule G1 (**biodiversity mitigation**) and Schedule G2 (**biodiversity offsetting**)⁵⁸. A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.

Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be

⁵⁴ S42A Report :Wetlands and Biodiversity. Issue 6.3

⁵⁵ S42A Report :Wetlands and Biodiversity. Issue 6.5

⁵⁶ RoR Report: Wetlands and Biodiversity, issue 5.

⁵⁷ S42A Report: Wetlands and Biodiversity, Issue 6.3

⁵⁸ S42A Report: Wetlands and Biodiversity, Issue 5

avoided, remedied, mitigated or redressed through **biodiversity offsets**, the activity is inappropriate.

Policy ~~P33~~ P41A: Protecting Effects on the spawning and migration of indigenous fish species habitat⁵⁹

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

- a) discharges of contaminants, including sediment, and
- b) disturbance of the bed or banks that would significantly⁶⁰ affect spawning habitat at peak times of the year, and
- c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.

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



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

- (a) maintain ecological connections within and between these habitats, or
- (b) provide for the enhancement of ecological connectivity between fragmented habitats through **biodiversity offsets**, and
- (c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and
- (d) avoid cumulative adverse effects on, and the incremental loss of the values of these ecosystems and habitats.

Policy P43: Wetland⁶¹ ~~R~~estoration and⁶² management plans



Restoration activities that have more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F (indigenous biodiversity) are appropriate if they are undertaken as part of a **wetland**⁶³ **restoration management plan**.

⁵⁹ S42A Report: Wetlands and Biodiversity, Issue 4

⁶⁰ RoR Report: Wetlands and biodiversity, issue 5.

⁶¹ S42A Report: Wetlands and Biodiversity, Issue 6.5

⁶² S42A Report: Wetlands and Biodiversity, Issue 6.5

⁶³ S42A Report: Wetlands and Biodiversity, Issue 6.5

4.6.3 Sites with significant mana whenua values

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



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

- (a) working to increase landowner and community understanding of significant values within Schedule C sites, and
- (b) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement restoration programmes for Schedule C sites, and
- (c) the Wellington Regional Council and iwi authorities implementing kaupapa Maori monitoring of Schedule C sites.⁶⁴

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



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

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

Significant adverse effects on the significant values of the site shall be avoided. ~~Other~~⁶⁵ ~~The~~ Adverse effects of activities shall be managed in accordance with **tikanga** and **kaupapa Māori** as recommended in the **cultural impact assessment** by:

- (a) avoiding more than minor adverse effects, and
- (b) where more than minor adverse effects cannot be avoided, minimising remedying⁶⁶ them, and
- (c) where more than minor adverse effects cannot ~~be completely avoided and/or minimised, they are remedied on-site remedied, mitigating them, and~~⁶⁷
- (d) receiving written consent of the iwi authority.⁶⁸

Proposals for mitigation will be assessed against the principles listed in Schedule G1 (biodiversity mitigation).⁶⁹ Where more than minor adverse effects on significant **mana whenua** values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is

⁶⁴ RoR Report: Areas and sites with significant mana whenua values, Section 6 (Addresses all changes to Policy P44)

⁶⁵ RoR Report: Areas and sites with significant mana whenua values, Issue 7

⁶⁶ S42A Report: Wetlands and Biodiversity, Issue 5

⁶⁷ S42A Report: Wetlands and Biodiversity, Issue 5

⁶⁸ RoR Report: Areas and sites with significant mana whenua values, Issue 9

⁶⁹ S42A Report: Wetlands and Biodiversity, Issue 5

inappropriate. Offsetting of effects in sites with significant **mana whenua** values is inappropriate.

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

4.6.4 Sites with significant historic heritage value

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



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

- (a) significant historic heritage values are not lost, damaged or destroyed, and
- (b) effects are of a low magnitude or scale, or effects are reversible, and
- (c) interconnections and linkages between sites are not significantly altered or lost, and
- (d) previous damage to significant historic heritage values is remedied or mitigated where relevant, and
- (e) previous changes that have significant historic heritage value in their own right are respected and retained, and
- (f) adjacent significant historic heritage values are unlikely to be adversely affected, and
- (g) unique or special materials and/or craftsmanship are retained, and
- (h) the activities do not lead to cumulative adverse effects on historic heritage.

Policy P46A: Managing adverse effects on historic heritage values in Lambton Harbour Heritage Area⁷⁰

To recognise the historic heritage values that are located within the CMA of Lambton Harbour, and to manage the effects of the use and development on the historic heritage values of the items identified in Schedule E6: Lambton Harbour Heritage Area, so that:

⁷⁰ Supplementary RoR: Historic heritage

- (a) the location and form of the reclamation edges, finger wharves and wharf edges is maintained; and
- (b) the scale and design of any structures proposed to be built or located on the wharves recognises the historic heritage character, development and associations of the area; and
- (c) any demolition and replacement maintains the heritage values and character of the heritage area, and any unique or special materials and/or craftsmanship are retained in situ, or stored for re-use if practicable; and
- (d) interconnections and linkages between sites are not significantly altered or lost; and
- (e) any adjacent significant historic heritage values are unlikely to be adversely affected; and
- (f) has a complimentary relationship with the historic heritage identified in Lambton Harbour and surrounds, and
- (g) particular regard is given to the maritime use of the wharves, including historic use of the wharves and access to, from and along the coastal marine area.⁷¹

Policy P47: Appropriate demolition



Demolition, partial demolition⁷² or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where the structure:

- (a) is substantially damaged by fire or natural hazard, and/or
- (b) poses a significant risk to human safety, and
- (c) it is not reasonably practicable to repair it.

Note

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

⁷¹ RoR Report: Significant Historic Heritage, issue 8.5.

⁷² RoR Report: Significant Historic Heritage, issue 8.1.

4.6.5 Natural features and landscapes and special amenity landscapes

Policy P48: Protection of outstanding natural features and landscapes



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

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

Note: Natural features and landscape assessments: RPS Policy 50 also applies⁷³

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



Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape ~~or special amenity landscape identified in a district plan~~⁷⁴ shall be managed by:

- (a) protecting visual and biophysical linkages between the site and the ~~outstanding~~ natural feature or landscape, and
- (b) avoiding adverse cumulative effects on the ~~values~~ values⁷⁵ ~~characteristics and qualities~~⁷⁶ ~~of an outstanding~~ the natural feature or landscape.

Note: Natural features and landscape assessments: RPS Policy 50 also applies

Policy P50: Significant geological features



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

Policy P51: Significant surf breaks



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

- (a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and
- (b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.

⁷³ Supplementary Response Natural form and function, hearing 3, 12 January 2018.

⁷⁴ Supplementary Response Natural form and function, hearing 3, 12 January 2018.

⁷⁵ Supplementary Response Natural form and function, hearing 3, 12 January 2018.

⁷⁶ S42A Report: Natural form and function, Issue 10

4.7 Air quality

Policy P52: Managing ambient air quality



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

- (a) maintaining the acceptable category or better identified in Schedule L1 (ambient air) for the specific contaminants, and
- (b) improving unacceptable or poor ambient air quality to at least the acceptable category or better identified in Schedule L1 (ambient air), and
- (c) managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised.

Policy P53: Domestic fires



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

Policy P54: Open fires

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

Policy P55: Managing air amenity



Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and [dust⁷⁷](#), particulate matter, fumes, ash and visible emissions.

Policy P56: Outdoor burning



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

Policy P57: Burning of specified materials



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

Policy P58: Industrial discharges



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

Policy P59: Industrial point source discharges



The significant adverse effects from industrial **point source discharges** of **hazardous air pollutants** beyond the boundary of the **property** where the

⁷⁷ RoR report: Air quality management

discharge is occurring, including any noxious or dangerous effects on human health or the environment, shall be avoided.

Policy P60: Agrichemicals and fumigants



The adverse effects on human health, **property** and the environment from the [application discharge](#)⁷⁸ of **agrchemicals** or **fumigants** beyond the boundary of the **property** where the discharge is occurring will be managed using **good management practices**.

Policy P61: National Environmental Standard for Air Quality

When considering a resource consent application for a discharge into air in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25), the Wellington Regional Council shall give effect to the National Environmental Standard for Air Quality by allowing the offsetting of new discharges of PM₁₀ if the ground level concentrations exceed 2.5µg of PM₁₀/m³ of air. The offsets shall be:

- (a) for new discharges into air or when discharges from existing consented activities increase, and
- (b) calculated on an annual mass emissions basis and be offset on a one to one annual mass emissions basis, and
- (c) calculated as close as practicable to where the effect of the discharge occurs, and
- (d) for the duration of the consent, and
- (e) treated as having the same health effects irrespective of the source of the PM₁₀, and
- (f) required in a **polluted airshed**, including the Masterton Urban Airshed (shown on Map 25) until the airshed achieves five years without any breach of the National Environmental Standard for Air Quality for PM₁₀, and
- (g) only for a **point source discharge** and will not consider fugitive emissions, and
- (h) only for PM₁₀.

Note

For the purposes of this policy offsetting has the same meaning as in the National Environmental Standard for Air Quality for PM₁₀.

⁷⁸ RoR Report: Discharges to land

4.8 ~~Discharges to~~ Land and water quality⁷⁹

4.8.1 ~~Discharges to~~ Land and water⁸⁰

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

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

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water, and
- (b) the extent to which it is feasible and dependable that any more than minor adverse effects on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided, and
- (c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their ~~secondary~~ contact with fresh water, and
- (d) the extent to which it is feasible and dependable that any more than minor adverse effects on the health of people and communities as affected by their ~~secondary~~ contact with fresh water resulting from the discharge would be avoided.

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

- (e) a new discharge, or
- (f) a change or increase in any discharge

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

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

Policy P67: Minimising ~~effects of~~ discharges to land or water⁸¹



~~The adverse effects of~~ Discharges of contaminants to land ~~and or~~ water will be minimised by following this hierarchy:

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

⁷⁹ Review amendment

⁸⁰ Review amendment

⁸¹ RoR Report: Discharges to land

- (b) ~~Second, reducing the volume amount of contaminants, including by reusing, recovering or recycling the contaminants, and/or~~
- (c) ~~Third, minimising the volume or amount of the discharge, and/or~~
- (d) ~~Fourth, where the contaminants may enter water discharging to land is more appropriate than preferred promoted over to discharge in direct to water, including using land-based treatment, constructed wetlands or other systems to treat contaminants prior to discharge, where appropriate, and~~
- (e) ~~Fifth, discharging to land rather than direct to water where appropriate.⁸²~~
- f) ~~irrespective of actions taken in accordance (a) to (d) above, where a discharge is a point source discharge to a river or stream, the discharge achieve the water quality standards in Policy P71 after reasonable mixing.~~

Note:

In determining if it is appropriate to discharge to land as required by clauses (d) and (e) consideration must be given to the requirements of Policy P95.

Policy P69: Human drinking water supplies

The adverse effects from discharges to land and water on the quality of **community drinking water supplies** and **group drinking water supplies** shall be avoided to the extent practicable necessary to implement the National Environmental Standards for Sources of Human Drinking Water 2007, in consultation with the drinking water supply operator.⁸³ ~~Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:~~

- (a) ~~water quality in relation to determinands, including aesthetic determinands, at the water supply abstraction point, and~~
- (b) ~~the type and concentration of the contaminant(s) in the actual discharge, and~~
- (c) ~~soil type, in the case of discharges to land, and~~
- (d) ~~travel time and path of contaminants from source to water supply abstraction point, and~~
- (e) ~~treatment, design and maintenance, and~~
- (f) ~~the risk of accident or an unforeseen event causing significant adverse effects on water quality.~~

⁸² RoR Report: Discharges to Land

⁸³ RoR Report: CDWSPA

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

Policy P95: Discharges to land

The discharge of contaminants to land shall be managed to by:

- (a) ~~ensuring the discharge does not result in more than minor~~ minimise adverse effects ~~to on the life-supporting capacity of soil health, and~~
- (b) ~~avoiding discharges that would not create creating~~ contaminated land ~~contaminated land, and~~
- (c) not exceed~~ing~~ the ~~natural~~ capacity of the soil to treat, use or remove the contaminant, ~~and~~
- (d) not exceed~~ing~~ the available capacity of the soil to absorb ~~and infiltrate~~ the discharge, ~~and~~
- (e) ~~minimising prevent avoid significant adverse~~ effects on public health and amenity, and
- (f) ~~not result~~ing in a discharge ~~enters to~~-water that causes more than a minor adverse effects.

avoid adverse effects on sites of significance to mana whenua.⁸⁴

Policy P62: Promoting Preference for discharges to land⁸⁵



~~Regard shall be given to~~ The discharge of contaminants to land is preferred ~~promoted over more appropriate than~~⁸⁶ direct discharges to water, particularly where there are adverse effects on:

- (a) aquatic ecosystem health ~~and, or~~
- (b) mahinga kai, or
- (b)(c) contact recreation ~~and, or~~
- (d) Māori customary use.

Policy P65: Minimising effects of rural land use activities, including nutrient discharges⁸⁷



The adverse effects of rural land use activities, including⁸⁸ any associated discharge, nutrient discharges from agricultural activities that may enter water shall be minimised through the use of:

⁸⁴ RoR Report: Discharges to Land

⁸⁵ RoR Report: Discharges to land

⁸⁶ RoR Report: Discharges to land

⁸⁷ RoR Report: Water Quality (Rachel Pawson), Section 14

⁸⁸ S42A Report: Water quality, Issue 7.3

- (a) **good management practices**, and
- (b) information gathering, monitoring, assessment and reporting, and
- (c) integrated catchment management within the Wellington Regional Council and with the involvement of **mana whenua**, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts, and
- (d) regulatory and non-regulatory methods, ~~and~~
- ~~(e) plan changes or variations resulting from catchment specific recommendations from the **whaitua** committee process.~~

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



The water quality of fresh⁸⁹ water bodies and areas of coastal water⁹⁰ identified as priorities for improvement for contact recreation and Māori customary use in Schedule H2 (priority water bodies) and the rivers and lakes used for Māori customary use identified in Schedule B or Schedule C shall be improved where necessary to meet, over time and as a minimum, the objectives in Table 3.1, 3.2 and 3.3 of Objective O24, including by having particular regard to improving water quality in:

- (a) improving water quality in all First first priority for improvement water bodies for secondary contact with water listed in Schedule H2 (priority water bodies) in accordance with Method M27, and
- ~~(b) Nga Taonga Nui a Kiwa listed in Schedule B and/or a site with significant mana whenua values listed in Schedule C where the objectives in Tables 3.1, 3.2 and 3.3 of Objective O24 are not met, and~~
- ~~(b) Stormwater Management Strategies having particular regard to improving water quality in fresh water bodies and coastal water identified in Schedule H2 (priority water bodies) that are adversely affected by discharges from stormwater networks, and~~
- (c) having particular regard to improving water quality in fresh water bodies and areas of coastal water identified in Schedule H2 (priority water bodies) and where an objective in Table 3.1 is not met for rivers and lakes used for Māori customary use identified in Schedules B or C that where contact recreation and/or Māori customary use⁹¹ are adversely affected by discharges from stormwater from a port, airport or state highway, wastewater networks ~~or~~ and **wastewater** treatment plants.


⁸⁹ RoR Report: Water Quality (Rachel Pawson), Section 9.5

⁹⁰ S42A Report: Water quality, Issues 4.1 and Issue 4.5

⁹¹ RoR Report: Water Quality (Rachel Pawson), Section 9.5

Note

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

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

Where an objective in Table 3.4, Table 3.5, Table 3.6, Table 3.7⁹² or Table 3.8 of Objective O25 is not met, **point source discharges** to water shall be managed in the following way:

- (a) for an **existing activity discharge** that contributes to the objective not being met, the discharge is only appropriate if:
 - (i) ~~the~~ application for a resource consent includes a defined programme of work for upgrading the **activity discharge**, in accordance with **good management practice**, within the term of the resource consent, and
 - (ii) conditions on the resource consent require the reduction of adverse effects of the **activity discharge** in order to improve water quality in relation to the objective ~~within the term of the consent~~, and
- (b) for a **new activity discharge**, the discharge is ~~only appropriate~~ **inappropriate** if the **activity discharge** would ~~not~~ cause the affected fresh water body or area of coastal water to ~~become any worse~~ **worsen decline**⁹³ in relation to the objective.

Policy P71: Quality of point source discharges to rivers

~~Where all of the objectives in Table 3.4 of Objective O25 are met~~ ~~The~~ adverse effects of **point source discharges**, ~~excluding discharges from the~~⁹⁴ ~~stormwater network and wastewater network discharges~~, to rivers shall be minimised by the use of measures that result in the discharge ~~meeting as a minimum maintaining water quality the following water quality standards~~ in the receiving water after the **zone of reasonable mixing-when measured**⁹⁵

- (a) below the discharge point compared to above the discharge point, ~~having particular regard to the following indicators of ecosystem health:~~
 - (a)(i) ~~a decrease in~~ the Quantitative Macroinvertebrate Community Index ~~of no more than 20%, and~~
 - (b)(ii) ~~a change in~~ pH ~~of no more than ±0.5, and~~

⁹² S42A Report: Water quality, Issue 9.2

⁹³ RoR report: Water Quality (Michelle Conland), Section 10

⁹⁴ RoR report: Water Quality (Michelle Conland), Section 9

⁹⁵ S42A Report: Water quality, Issue 9.3

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

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

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

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

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

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

~~3°C in any other river, and~~

~~(e)(b) the 7-day mean minimum dissolved oxygen concentration of no lower than 5mg/L~~

~~(f)(e) the daily minimum dissolved oxygen concentration of no lower than 4mg/L.~~

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

Policy P72: Zone of reasonable mixing



~~When a discharge to water requires resource consent, Where not otherwise permitted by a rule,⁹⁶ the **zone of reasonable mixing** shall be minimised and will be determined on a case-by-case basis. In determining the **zone of reasonable mixing**, particular regard shall be given to:~~

- ~~(a) acute and chronic toxicity effects, and~~
- ~~(b) adverse effects on aquatic species migration, and~~
- ~~(c) efficient mixing of the discharge with the receiving waters, and~~
- ~~(d) avoiding a site with significant **mana whenua** values identified in Schedule C (mana whenua), and~~
- ~~(e) the identified values of that area of water, and~~
- ~~(f) avoiding significant adverse effects within the **zone of reasonable mixing**.~~

Policy P64: Mixing waters

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

⁹⁶ S42A Report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.1

Policy P68: [Avoiding](#) ⁹⁷ inappropriate discharges to water



Discharges to fresh and coastal water of:

- (a) untreated **wastewater**, except as a result of ~~extreme weather related heavy rainfall event~~ overflows ~~or wastewater system failures or from recreational boating activities~~⁹⁸, and
- (b) **animal effluent** from an **animal effluent** storage facility or from an area where animals are confined, and
- (c) untreated industrial or trade waste, and
- (d) untreated organic waste or leachate from storage of organic material

shall be avoided.

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

4.8.2 **Discharges to water**

4.8.3 **Stormwater**

Policy P73: Minimising adverse effects of stormwater discharges



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

- (a) using **good management practice**⁹⁹, and
- (b) taking a **source control** and treatment train approach to new activities and land uses, and
- (c) implementing **water sensitive urban design** in new subdivision and development, and
- (d) progressively improving existing **stormwater, wastewater**, road and other public infrastructure, including during routine maintenance and upgrade.

Policy P79¹⁰⁰: Managing land use impacts on stormwater



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

- (a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and
- (b) do not ~~increase cause new or exacerbate existing~~¹⁰¹ risk to human health or safety, or ~~increase exacerbate~~ the risk of inundation, erosion or damage to **property** or infrastructure,

⁹⁷ RoR Report: Water Quality (Michelle Conland), Section 11

⁹⁸ S42A Report: Water quality, Issue 9.1

⁹⁹ S42A Report: Stormwater, Clause 16(2) amendment

¹⁰⁰ RoR: Stormwater. Policy moved to sit earlier in section 4.8.3 immediately after Policy P73.

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

Policy P74: Development of a stormwater management strategy and¹⁰²
First-stage local authority network consents



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

- (a) managing the **stormwater network** on a comprehensive basis whereby discharges from local authority **stormwater** devices are aggregated on a catchment or **sub-catchment**¹⁰³ basis and authorised via a single ‘global’ consent, and
- (b) undertaking monitoring to identify the adverse quality and quantity effects of discharges from the **stormwater network** on:
 - (i) **aquatic ecosystem health** and **mahinga kai**, and
 - (ii) contact recreation and **Māori customary use**, and
 - (iii) the values of areas with identified outstanding or significant values identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F (indigenous biodiversity), and
 - (iv) water and sediment quality in the receiving environment, and the benthic habitat of **low energy receiving environments**,in order to develop a prioritised programme for improvement of areas within the **stormwater network** that will form the basis of a **stormwater management strategy**, and
- (c) managing any acute adverse effects of discharges from the **stormwater network** detected during the monitoring under (b), including significant adverse effects on primary and secondary contact with water, by:
 - (i) implementing mitigation as soon as practicable after the effect is determined, and
 - (ii) identifying long-term options for remediation or mitigation, and
- (d) limiting resource consents granted under Rule R50 to a maximum of five years, and

¹⁰¹ s42A report: Stormwater, Issue 2.4

¹⁰² RoR Report: Stormwater, Section 8.1

¹⁰³ S42A Report: Stormwater, Clause 16(2) amendment

- (e) including conditions in the resource consent to set timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy).
- (f) Developing a monitoring programme under (b) that:
 - (i) selects suitable representative sites where there are multiple discharge points to the same receiving environment, and in the Wairarapa,
 - (ii) focuses on the urban areas of Masterton, Carterton, Greytown, and Featherston, and
 - (iii) for stormwater networks in urban areas not listed in (ii), identifies key risks to receiving water quality from stormwater discharges in accordance with Schedule N(c) and (d) Catchment characteristics.

Policy P75: Second-stage local authority network consents



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


- (a) identifying in the **stormwater management strategy** priorities for progressive improvement, and timeframes to achieve this improvement, in accordance with any relevant objectives identified in the Plan, and
- (b) where appropriate, developing catchment-specific **stormwater** management plans or other methods to identify and prioritise actions in accordance with any relevant objectives identified in the Plan, and
- (c) progressively implementing the **stormwater management strategy** and any actions identified under (b), and
- (d) for new **stormwater** networks, managing the adverse quality and quantity effects of post-development stormwater discharges employing land-based treatment of **stormwater**, in accordance with ~~good management practice~~ and Policies P73 and P79, from new **stormwater networks**¹⁰⁴, and
- (e) progressively reducing the impact of untreated **wastewater** on fresh and coastal water in accordance with Policies P76 and P77, and
- (f) progressively improving existing **stormwater, wastewater**, road and other public infrastructure, including through routine maintenance and upgrade.

¹⁰⁴ S42A Report: Stormwater, Issue 3.3

Policy P76: Minimising wastewater and stormwater interactions 


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

- (a) avoiding **wastewater** contamination of **stormwater** from new **wastewater networks** or connections authorised after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (b) progressive elimination of~~reducing~~¹⁰⁵ **wastewater** contamination of **stormwater** from the existing **wastewater network**, and
- (c) progressively reducing **stormwater** and groundwater infiltration and inflow into the **wastewater network** ~~so that untreated wastewater only overflows to water during heavy rainfall events.~~

Policy P77: Assessing resource consents to discharge stormwater containing wastewater 

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

- ~~(a) infiltration and inflow into the wastewater network are managed in accordance with Policy P76, and~~
- ~~(a)(b)~~ a plan of how Policy P76 will be achieved, including key milestones and dates ~~for these, is included with any resource consent application,~~ and
- ~~(b)(c)~~ the results of consultation with mana whenua on their values and interests in relation to discharges and receiving waters. the plan required under (b) is developed with mana whenua.¹⁰⁶

Policy P78: Managing stormwater from ~~large sites a port, airport or state highway~~¹⁰⁷ 

The adverse effects on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use of the discharge of **stormwater** from a port, airport or state highway, where the discharge will enter water shall be minimised by:

- ~~(a) managing the discharge in order to minimise the adverse effects of stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, and~~
- ~~(a)(b)~~ identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and

¹⁰⁵ S42A Report: Stormwater, Issue 4.1

¹⁰⁶ S42A Report: Stormwater, Issue 4.2

¹⁰⁷ S42A Report: Stormwater, Issue 6.2

- ~~(c)~~ progressively implementing methods identified in (b), and
- ~~(b)(d)~~ having particular regard to protecting sites with identified significant or outstanding values, and
- ~~(c)(e)~~ implementing **good management practice**, ~~including in accordance with Policy P73~~, and
- ~~(d)~~ where required,¹⁰⁸ progressively improving ~~of~~ discharge quality over time.

~~Policy P79: Managing land use impacts on stormwater~~ 

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

- ~~(a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and~~
- ~~(b) do not increase cause new or exacerbate existing¹⁰⁹ risk to human health or safety, or increase exacerbate the risk of inundation, erosion or damage to property or infrastructure,~~

~~including by retaining, as far as practicable, pre development hydrological conditions hydrographs and overland flow paths in new subdivision and development.~~¹¹⁰

4.8.4 Wastewater

Policy P80: ~~Replacing~~¹¹¹ wastewater discharge consents 

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

- (a) the objectives, limits, targets, discharge standards or other requirements set out in the Plan relevant to **wastewater** discharges to water, and
- (b) the results of consultation with the community and **mana whenua** on their values and interests in relation to discharges and receiving waters, including adverse effects on **Māori customary use** and **mahinga kai**, and
- (c) in response to consultation with the community and **mana whenua**, the short-term and long-term goals for **wastewater** discharges to water, where short-term goals are within the lifetime of the Plan and long-term goals are beyond the lifetime of the Plan, and
- (d) how the short- and long-term goals for **wastewater** discharges to water will satisfy provisions of the Plan, and

¹⁰⁸ RoR Report: Stormwater, Section 11.1

¹⁰⁹ S42A Report: Stormwater, Issue 2.4

¹¹⁰ RoR: Stormwater. Policy moved to sit earlier in section 4.8.3 immediately after Policy P73.

¹¹¹ RoR Report: Wastewater discharges to water, section 5.3

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

Policy P82: Mana whenua values and wastewater discharges



~~Reasonable steps shall be taken to reflect m~~**Mana whenua** values and interests ~~shall be reflected~~ in the management of **wastewater** discharges ~~to fresh and coastal water and their~~ receiving waters, including adverse effects on **Māori customary use**, Ngā Taonga Nui a Kiwa, outstanding water bodies and **mahinga kai**.

Policy P81: Minimising and improving wastewater discharges



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

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

Policy 71A: Quality of wastewater¹¹² discharges to rivers

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

- (a) below the discharge point compared to above the discharge point:
- (i) a decrease in the Quantitative Macroinvertebrate Community index of no more than 20%, and
- ~~(ii) a change in pH of no more than ±0.5, and~~
- (ii) a decrease in water clarity of no more than:
- 20% in **River class**, 1 or
 2. 33% in **River classes** 2 to 6, and
- ~~(iii)~~ a change in temperature of no more than:
- 2°C in **River classes** 1 or 2, or

- 2. 2°C in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or
 - 3. 3°C in any other river, and
- (b) a 7-day mean minimum dissolved oxygen concentration of no lower than:
 - (i) 7mg/L in rivers identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes) and Schedule I (trout habitat), and
 - (ii) 5mg/L in any other river, and
- (c) a daily minimum dissolved oxygen concentration of no lower than:
 - (i) 5mg/L in rivers identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes) and Schedule I (trout habitat), and
 - (ii) 4mg/L in any other river.

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

Policy P83: Avoiding new wastewater discharges to fresh water
New discharges of wastewater to fresh water are avoided.

Policy P83A¹¹³:



To ensure that new discharges of wastewater to coastal water do not occur unless the discharge to land is likely to have more significant adverse effects on the receiving environment; and options for the discharge of wastewater to the coast have been developed following consultation with iwi about the values and interests present and the effects on them and regard has been had to the recreational values of the CMA.

Policy P85: Biosolids and treated wastewater to land



The adverse effects on fresh water, including groundwater and coastal water and on soil from the application discharge of **biosolids** or treated **wastewater** to land shall be minimised. The ~~application discharge~~ of **biosolids** to land shall be managed in accordance with *Guidelines for the safe application of biosolids to land in New Zealand, 2003*: relevant good management practice guidelines.¹¹⁴

¹¹³ S42A Report: Wastewater to water, Issue 8

¹¹⁴ RoR Report: Discharges to land

Policy P84: On-site domestic wastewater management



~~The discharge of contaminants to land from on-site domestic wastewater treatment and discharge systems shall avoid adverse effects on mana whenua values, and not result in M~~more than minor adverse effects on fresh water, including groundwater and coastal water.¹¹⁵ ~~from discharges from on-site domestic wastewater treatment and discharge systems shall be avoided. The discharge shall be avoided where reticulated sewerage is available. On-site domestic wastewater treatment and discharge systems shall be designed, operated and maintained in accordance with the New Zealand Standard AS/NZS 1547:2012 – On-site domestic wastewater management.~~

4.8.5 ~~Discharges to land~~ Collected animal effluent

~~Policy P95bP94P96: Discharge of collected animal effluent~~¹¹⁶

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

- (a) the collection, storage and distribution systems are sealed to ~~avoid prevent~~ discharge of effluent outside the intended ~~disposal discharge~~ area, and
- (b) the discharge is to land, and:
 - ~~(i)~~ effluent is only discharged when the field capacity of the soil will not be exceeded, and
 - ~~(ii)~~(i) effluent is discharged at a rate that can be absorbed and treated by the soil and plants, ~~without to minimise~~ ponding, ~~and prevent or~~ surface runoff and ~~without~~ directly discharge ~~ing~~ to groundwater or to surface water through tile drains, and
 - ~~(iii)~~(ii) sufficient storage is provided so that effluent can be stored when weather or soil conditions are unsuitable for irrigation, ~~in order to meet the conditions (b)(i) and (b)(ii) above,~~ and
 - ~~(iv)~~ ~~discharges do not pond or flow to any surface water, and~~
 - ~~(v)~~(iv) discharges avoid adverse effects on water quality including any community drinking water supply protection areas shown on Map 26, Map 27a, Map 27b and Map 27c.

¹¹⁵ S42A Report: Discharges to Land, issue 5.

¹¹⁶ S42A Report: Overall framework of the proposed Plan – Part B, Clause 16(2) amendment. Moved Policy P94 to section 4.8.8 Discharges to land.

4.8.6 Contaminated land, hazardous substances and landfills

Policy P89: Discharges from contaminated land



The discharge of **hazardous substances** from contaminated land ~~contaminated land, including closed landfills~~, is managed minimised so that ~~the~~ significant adverse effects on fresh water, including groundwater, coastal water, and air ~~is minimised~~ are avoided, remedied or mitigated to the extent practicable.

Policy P90: Discharges of hazardous substances



The adverse effects of the discharge of ~~a~~ **hazardous substances** (excluding a discharge subject to Policy P89) to land (~~including accidental discharges~~), fresh water, including groundwater, ~~or~~ coastal water or air ~~from the use, storage and transport of hazardous substances~~ shall be avoided ~~managed by the use of good management practices~~.

Policy P91: Landfills



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

- (a) ensuring landfill design, construction, operation and maintenance is in accordance with good management practice and¹¹⁷ includes:
 - (i) methods for leachate management, collection, treatment and disposal, and
 - (ii) methods for **stormwater** capture and control from both off-site and on-site, and
 - (iii) methods to minimise odour, and
 - (iv) maintenance and monitoring to minimise contamination of the receiving environment, and
- (b) methods for gas collection, flaring of gas, or if gas is used as a fuel for electricity generation, in accordance with section 25 to 27 of the National Environmental Standards for Air Quality Regulations (2004), and
- (c) ensuring landfills are managed in accordance with site-specific landfill management plans, and
- (d) having controls to manage **hazardous waste** and avoid any discharge of **hazardous wastes** or the leaching of contaminants from **hazardous wastes** into or onto land where they may enter water, and
- (e) ensuring landfills are closed and monitored in accordance with *A Guide for the Management of Closing and Closed Landfills in New Zealand, 2001*.

¹¹⁷ S42A Report: Discharges to Land, issue 7.

4.8.7 Wastewater from vessels and offshore installations and biofoul cleaning

Policy P86: Discharge of wastewater from vessels



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

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

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



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

- (a) discharging **wastewater** from vessels greater than 500 tonnes outside the **harbour and pilotage limit** (shown on Map 49), and
- (b) avoiding discharges into sites with significant values, and
- (c) utilising shore based **disposal** facilities.

Policy P88: Biofoul cleaning



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

Note

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

4.8.8 Hydraulic fracturing Hydrocarbon exploration or extraction

Policy P92: Discharges from hydraulic fracturing hydrocarbon exploration or extraction¹¹⁸



The adverse effects on fresh water, including groundwater, and coastal water from chemicals or materials or the escape of hydrocarbons during the exploration for, or extraction of, hydrocarbons in solid, liquid or gaseous forms shall be avoided. ~~Well casings shall be designed to prevent any contamination into fresh water, including groundwater, and coastal water over the long term and be able to handle changes in temperature, pressure and stress along their~~

¹¹⁸ S42A Report: Discharges to Land, issue 8.

~~entire length, from hydraulic fracturing, natural ground movements and earthquakes and related seismic hazards.~~

Hydrocarbon wells must be designed, operated, maintained, and decommissioned in a way that:

- (a) avoids contaminating freshwater, including groundwater, and coastal water over the long terms from open or unsealed wells, and from other operational activities, and
- (b) complies with **good management practices**, recognised industry standards, codes of practice, and regulations, and
- (c) selects best practice drilling and construction methods, including the of muds and other construction material used, and
- (d) is able to handle changes in temperature, pressure, and stress along their entire length, from hydraulic fracturing, natural ground movements, and seismic hazards such as earthquakes, and
- (e) minimises effects on the reliability of groundwater supply for properly constructed, efficient and fully functioning existing wells, and
- (f) ensures that well logs are prepared and made available for the construction or alteration of wells.

Policy P93: Disposal of hydraulic fracturing chemicals or materials 

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

4.8.9 Land use

~~Policy P96: Managing land use¹¹⁹~~

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

Note

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

4.8.10 Earthworks and vegetation clearance

~~Policy P97: Managing sediment discharges ~~

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

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

¹¹⁹ S42A Report: Discharges to Land, issue11.

Effects that cannot be minimised may be appropriately offset.¹²⁰

Policy P98: Accelerated soil erosion



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

- (a) minimise the risk of accelerated soil erosion, and
- (b) control silt and sediment runoff, and
- (c) ensure the site is **stabilised** and vegetation cover is restored.

4.8.11 Livestock access and riparian management

Policy P99: Livestock access to a surface water bodies and the coastal marine area¹²¹



Sedimentation, the direct discharge of contaminants, damage to the beds or banks, and degradation of aquatic ecosystems disturbance to the banks and beds (including plants and habitats in, on or under the bed) of a surface water bodies and or the coastal marine area resulting from **livestock** access shall be managed to:

- (a) ~~protect aquatic habitat and water quality, and~~
- ~~(b)(a)~~ protect the significant values of **Category 1 surface water bodies** by excluding livestock from these water bodies; and
- (b) outside a **Category 1 surface water body**:

~~Where **livestock** are not excluded from the bed (including the banks) of **surface water bodies**, the adverse effects of access are avoided, remedied or mitigated by methods, such as, but not limited to:~~

- ~~(e)(i)~~ restricting the **location and frequency of access of** some types of **livestock**, and
- ~~(ii)~~ only allow access that protects aquatic habitat and water quality, and avoids significant damage to land in a surface water body or the coastal marine area.
- ~~(d)~~ restricting the numbers of animals, and
- ~~(e)~~ limiting the density, frequency and duration of access, and
- ~~(f)~~ providing sufficient alternative sources of drinking water, shade and grazing outside of the banks and beds.

¹²⁰ RoR Report: Soil conservation

¹²¹ S42A Report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.2

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

~~The overland flow of contaminants to surface water bodies from the use of land for cultivation and break-feeding shall be minimised through the use of riparian set-backs and good management practices.~~¹²²

Policy P101: Management of riparian margins¹²³ 

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

- (a) the exclusion of **livestock** likely to affect water quality, and
- (b) appropriate set-back distances from surface water bodies for some land use activities,
- ~~(b)(c)~~ encouraging the planting of appropriate riparian vegetation, and
- ~~(e)(d)~~ the management of pest plants and animals.

4.8.12 Activities in beds of lakes and rivers

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

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

- (a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or
- ~~(b)~~ associated with a qualifying development within a special housing area,¹²⁴
- ~~(c)~~ associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002,¹²⁵
- ~~(d)(b)~~ necessary to enable the development, operation, maintenance and upgrade of **regionally significant infrastructure**, or
- ~~(e)(c)~~ associated with the creation of a new river bed and does not involve piping of the river, and
- (d) for the purpose of forming a reasonable crossing point, and¹²⁶
- ~~(f)(d)(e)~~ in respect of (a) to (e)(d) there are no other practicable alternative methods of providing for the activity, or

¹²² S42A Report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.3

¹²³ S42A Report: Land use in riparian margins and stock access to surface water bodies and the CMA, Issue 3.4

¹²⁴ S42A: Beds of lakes and rivers, Issue 2

¹²⁵ S42A: Beds of lakes and rivers, Issue 2

¹²⁶ RoR Report: Beds of lakes and rivers, issue 3.

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

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

Policy P103: Management of gravel, ~~and sand or rock~~ extraction

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

- (a) the extraction does not result in an increase in flooding or erosion either at the site of extraction or across the wider river catchment, including any erosion of existing structures, and
- (b) the flow of ~~bed material sediment and gravel~~ to the coast is not reduced to the extent it would contribute to coastal erosion, and
- (c) the rate of ~~gravel~~ extraction does not exceed the natural rates of ~~gravel~~ deposition, unless this is required to manage aggradation.

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



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

~~Policy P105: Protecting trout habitat~~

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

- ~~(a) maintain or improve water quality in accordance with the objectives in Table 3.4 and Table 3.5 of Objective O25, and~~
- ~~(b) minimise changes in flow regimes that would otherwise prevent trout from completing their life cycle, and~~
- ~~(c) maintain the amount of pool, run and riffle habitat, and~~
- ~~(d) maintain fish passage for trout, and~~
- ~~(e) minimise adverse effects on the beds of trout spawning waters identified in Schedule I (trout habitat).¹²⁷~~

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

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

¹²⁷ Section 42A: Wetland and Biodiversity, Issue 4

- (a) pest plants are not introduced and their removal is enabled, and
- (b) indigenous plant species are encouraged to be planted where they are appropriate for the purpose and are typical of the area¹²⁸ and their removal (in whole or part) is only enabled for the purpose of Māori customary use or¹²⁹ for the reasonable use of an individual,¹³⁰ or where it is necessary to manage flooding and erosion, and
- (c) the introduction or removal of a plants, or part of a plant, does not increase flooding and erosion either at the site of introduction or removal, or across the wider river catchment, and
- (d) the introduction or removal of a plants, or a part of a plant, does not adversely affect significant biodiversity values of the site.

4.9 Taking, using, damming and diverting water

Policy P107: Framework for taking and using water

The framework for the take and use of water recognises:

- (a) groundwater connectivity to surface water shall be managed as described in ~~Schedule P~~ Table 4.1¹³¹ (groundwater connectivity), and
- (b) the take and use of water does not exceed core allocation¹³² amounts provided for in the Plan, and
- (c) **minimum flows or water levels** are managed in accordance with the Plan provisions, and
- (d) permitted and controlled activities provided for in the Plan and section 14(3)(b) and (e) takes are not included in the allocation amounts, or subject to minimum flows or water levels.¹³³

¹²⁸ Section 42A: Beds of lakes and rivers, Issue 3

¹²⁹ Section 42A: Beds of lakes and rivers, Issue 3

¹³⁰ RoR Report: Beds of lakes and rivers, issue 3.

¹³¹ S42A Report: Water allocation, Issue 2.2

¹³² S42A Report: Water allocation, Issue 2.4

¹³³ S42A Report: Water allocation, Issue 2.6

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

Schedule P <u>Table 4.1</u> ¹³⁴ : Classifying and managing groundwater and surface water connectivity		
Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer <u>groundwater</u> characteristics	General management approach
<p><u>Direct connection (Category A) groundwater</u></p> <p>Groundwater directly connected to surface water¹³⁵</p>	<p>Stream depletion effects begin almost immediately after the commencement of groundwater abstraction and increase rapidly over subsequent days. Over the course of weeks to months the volume of groundwater pumped almost entirely represents flow depletion from local surface waters. Depletion effects dissipate quickly when pumping stops.</p> <p>Direct connection (Category A) groundwater aquifers are generally shallow, highly permeable gravels that occur along the riparian margins of the main river systems.</p> <p>Direct connection (Category A) groundwater takes are expressed in litres/sec (L/sec) (based on a weekly average).</p> <p>Direct connection (Category A) groundwater areas are generally shown in <u>Figures 7.2, 7.5, 7.6, 7.7, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10.</u></p>	<p>Groundwater takes in aquifers directly connected to surface water are subject to the same core allocation and restrictions as surface water takes unless there is clear hydrogeological evidence demonstrating that surface water depletion effects from takes are less than expected.</p> <p><u>Allocation</u></p> <p>Direct connection (Category A) groundwater takes are allocated from surface water allocation for the relevant catchment management unit and <u>sub catchment management sub unit.</u></p> <p><u>Restrictions</u></p> <p>Direct connection (Category A) groundwater takes and are subject to restrictions outlined in Policy P115 and Schedule R.</p> <p><u>Where a groundwater take is located in an area shown in the whitua chapters as Direct connection (Category A) groundwater and there is clear hydrogeological information demonstrating that surface water depletion effects from takes are less than expected, the take may be considered as <u>High or Moderate connection (Category B) groundwater.</u></u>¹³⁶ Such clear new hydrogeological evidence may be advanced <u>in accordance with Schedule XX</u>¹³⁷ by a resource consent applicant seeking a new resource consent or an existing user amending an existing resource consent.</p> <p>Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.</p>

¹³⁴ S42A Report: Water allocation, Issue 2.2

¹³⁵ S42A Report: Water allocation, Issue 2.2

¹³⁶ S42A Report: Water allocation, Issue 2.2

¹³⁷ Supplementary right of reply Water allocation HS3, 21 December 2017.

Schedule P Table 4.1¹³⁴: Classifying and managing groundwater and surface water connectivity

Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
<p>High connection (Category B) groundwater¹³⁸</p> <hr/> <p>Groundwater not directly connected to surface water¹⁴⁰</p>	<p>Compared with takes in Direct connection (Category A) groundwater, the onset of stream depletion effects is less immediate and it often takes weeks rather than days for the effect to become significant. However, over the course of months the volume of groundwater pumped that is directly connected to surface water represents at least 60% flow depletion from local surface waters. Depletion effects dissipate more slowly than takes from Direct connection (Category A) groundwater when pumping stops.</p> <p>High connection (Category B) groundwater considered to be: available as surface water allocation is expressed in L/sec (based on a weekly average). Category B groundwater that is directly connected to surface water is:</p> <p>(a) <u>groundwater with a rate of take at the point of abstraction (based on weekly average) of greater than 5L/sec, and</u></p> <p>(b) <u>groundwater which over the course of a pumping season represents a flow depletion from local surface waters of greater than 60% of the rate of take or great than 10L/sec, takes with a stream depletion effect from local surface waters of greater than 60% of the rate of take OR a calculated maximum rate of stream depletion of greater than 10L/sec*. Stream depletion effect is calculated using an assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period.</u>¹³⁹</p> <p>High connection (Category B) groundwater areas are generally shown in the <u>Whaitua chapters at the locations and depths described in Figures 7.2, 7.3, 7.6, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10, Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10, Table 8.2 chapter 8 and Table 10.2 in chapter 10.</u></p> <p>The component of category B groundwater takes considered to not be directly connected to surface water is the balance of the amount assessed as being directly connected (i.e. up to 40%).</p>	<p>Category B groundwater aquifers that are directly connected to surface water are subject to the same core allocation and restrictions as surface water. Groundwater that is not directly connected to surface water is subject to separate groundwater core allocation. The allocation for individual takes at a location in category B groundwater is based on a pumping test that provides hydrogeological evidence demonstrating the effects of taking water on surface water. A pumping test is required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p> <p>Due to the potential for category B groundwater aquifers to have a less direct effect on surface water than equivalent takes from category A areas, groundwater takes within category B with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes.</p> <p>The management approach for individual takes at a location in Category B groundwater will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p> <p>For the following management approaches stream depletion effect is calculated using an <u>assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period.</u></p> <p>Allocation</p> <p>High connection (Category B) groundwater is allocated from both surface and groundwater allocation amounts as follows:</p>

¹³⁸ S42A Report: Water allocation, Issue 2.2

¹³⁹ S42A Report: Water allocation, Issue 2.2

¹⁴⁰ S42A Report: Water allocation, Issue 2.2

Schedule P Table 4.1¹³⁴: Classifying and managing groundwater and surface water connectivity

Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer <u>groundwater</u> characteristics	General management approach
		<p>(i) <u>For takes with a stream depletion effect from local surface waters of greater than 60% , the calculated stream depletion effect is included in the surface water allocation for the relevant catchment management sub unit, while the remainder is included in the groundwater allocation for the relevant sub catchment management sub unit**.</u></p> <p>(ii) <u>For takes with a stream depletion effect from local surface waters of less than 60% but greater than 10L/sec, the calculated stream depletion effect is included in the surface water allocation for the relevant catchment management sub unit, while the remainder is included in the groundwater allocation for the relevant catchment management sub unit**.</u></p> <p><u>Category B groundwater is allocated from groundwater allocation amounts as follows:</u></p> <p>(iii) <u>For takes with a stream depletion effect from local surface water of less than 60% and less than 10L/sec, the allocation is from the relevant groundwater catchment management sub unit.</u></p> <p>(iv) <u>For takes with a weekly average abstraction rate less than 5 L/sec the allocation is from relevant groundwater catchment management sub unit.</u></p> <p><u>Restrictions</u></p> <p><u>Category B groundwater takes with the following may be subject to restrictions outlined in Policy P115 and Schedule R:</u></p> <p>(i) <u>A stream depletion effect of greater than 60% , or</u> (ii) <u>A stream depletion effect of less than 60% but greater than 10L/sec where the cumulative Category B stream depletion effect for the catchment management sub unit exceeds 10% of natural 7d MALF of the surface water body impacted by the cumulative stream depletion.</u></p> <p><u>Category B groundwater takes with the following are not subject to restrictions outlined in Policy P115 and Schedule R:</u></p> <p>(iii) <u>A stream depletion effect of less than 60% and less than 10L/ , or</u></p>

Schedule P Table 4.1¹³⁴: Classifying and managing groundwater and surface water connectivity

Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer <u>groundwater</u> characteristics	General management approach
		<p>(iv) a weekly average abstraction rate less than 5 L/sec.</p> <p>The management approach for individual takes at a location in High Connection (Category B) groundwater will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p> <p>Due to the potential for category B groundwater aquifers to have a less direct effect on surface water than equivalent takes from category A areas, groundwater takes within category B High Connection (Category B) groundwater with a weekly average abstraction rate less than 5 litres per second shall be managed solely as groundwater takes and are not subject to minimum flow restrictions.</p> <p>Saltwater intrusion into an aquifer or the landward movement of the salt water/fresh water interface shall be prevented.</p>

Schedule P Table 4.1¹³⁴: Classifying and managing groundwater and surface water connectivity

Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer groundwater characteristics	General management approach
<p>Moderate connection (Category B) groundwater 141</p>	<p>Compared with takes in Direct connection (category A) groundwater, the onset of stream depletion effects is less immediate and it often takes weeks rather than days for the effect to become significant. Depletion effects dissipate more slowly than takes from Direct connection (category A) groundwater when pumping stops.</p> <p>Moderate connection (Category B) groundwater is considered to be:</p> <p>(a) groundwater takes with a weekly average rate of abstraction of 5L/sec or less, or</p> <p>(b) groundwater takes with stream depletion effect from local surface waters of less than 60% of the rate of take AND the calculated maximum rate of stream depletion of less than 10L/sec*. Stream depletion effect is calculated using an assessed pumping rate required to meet demand 9 out of every 10 years (90th percentile) over a 90 day maximum demand period.¹⁴²</p> <p>Moderate connection (Category B) groundwater areas are generally shown in the Whaitua chapters at the locations and depths described in Figures 7.2, 7.3, 7.6, 7.8 and 7.9 in chapter 7; Figures 8.1 and 8.2 in chapter 8; and Figure 10.1 and 10.2 in chapter 10. Table 7.5 in chapter 7, Table 8.3 in chapter 8 and Table 10.3 in chapter 10, Table 8.2 chapter 8 and Table 10.2 in chapter 10.</p>	<p>Moderate connection (Category B) groundwater is allocated from the groundwater allocation for the relevant sub-catchment management unit.</p> <p>Moderate connection (Category B) groundwater is not subject to restrictions outlined in Policy P115 and schedule R.</p> <p>The management approach for individual takes at a location in Moderate connection (Category B) groundwater will be derived from hydrogeological information that appropriately characterises the potential effects of taking groundwater on hydraulically connected surface water. Hydrogeological information will be required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.¹⁴³</p>

¹⁴¹ S42A Report: Water allocation, Issue 2.2

¹⁴² S42A Report: Water allocation, Issue 2.2

¹⁴³ S42A Report: Water allocation, Issue 2.2

Schedule P Table 4.1¹³⁴: Classifying and managing groundwater and surface water connectivity

Classification of connection between groundwater and surface water	General description of the magnitude of surface water depletion effect and aquifer <u>groundwater</u> characteristics	General management approach
<p>Limited connection (Category C) groundwater 144</p>	<p>Groundwater takes may contribute to stream flow depletion at a catchment scale over the course of a pumping season but effects are much less immediate and significant than for Direct connection (Category A) groundwater, High connection (Category B) groundwater and Moderate connection (Category B) groundwater takes.</p> <p>Aquifers <u>Groundwater</u> with a limited degree of connection generally comprise low permeability geology and/or are the farthest removed from surface waters (e.g. deep confined aquifers).</p> <p>Limited connection (Category C) groundwater areas are generally shown in the <u>Whaitua chapters at the locations and depths described in Figures 7.2-7.9 in chapter 7, Figures 8.1-8.2 in chapter 8, and Figure 10.1 in chapter 10.</u></p>	<p>Takes from category C groundwater are not subject to core allocation and restrictions that relate to surface water but rely on separate core allocation for groundwater in whaitua chapters 7 and 8.</p> <p><u>Allocation</u></p> <p>Limited connection (Category C) groundwater is allocated from the groundwater allocation for the relevant <u>sub catchment management sub unit.</u></p> <p><u>Restrictions</u></p> <p>Limited connection (Category C) groundwater is not subject to restrictions outlined in Policy P115 and schedule R.</p> <p><u>Where a groundwater take is located in an area shown in the Whaitua chapters as Limited connection (Category C) groundwater and there is clear hydrogeological evidence demonstrating that surface water depletion effects from take is greater than expected, the take may be considered as High connection (Category B) groundwater.</u></p> <p>A pumping test is required by a resource consent applicant seeking a new resource consent or by an existing user with an existing resource consent seeking an increased amount of water.</p>

* For small streams in the Kāpiti Whaitua, if the stream depletion factor is less than 60%, a groundwater take is considered to have a High connection if the stream depletion effects is greater than

- 10 L/sec in streams with a MALF greater than 100 L/sec or
- 10% of MALF in streams with a MALF less than 100 L/sec

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

¹⁴⁴ S42A Report: Water allocation, Issue 2.2

Policy P108: Integrating groundwater and surface water

The connectivity of groundwater and surface water shall be managed as described in ~~Schedule P Table 4.1~~¹⁴⁵ (groundwater connectivity) and groundwater shall be allocated from one of two sources:

- (a) ~~Direct connection (Category A) groundwater and High connection (Category B) (stream depletion)~~¹⁴⁶ within the **core allocation** for surface water, or
- (b) ~~groundwater not directly connected to surface water Moderate connection (Category B) groundwater (excluding Category B (stream depletion)) and Limited connection (Category C) groundwater~~¹⁴⁷ within the **core allocation** for groundwater.

Policy P109: Lapse dates affecting water takes

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

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

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

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

This policy applies to:

- (c) any new activity, and
- (d) any change in the character, intensity or scale of any established activity that involves any taking, using, damming or diverting of fresh water or draining of any ~~natural wetland~~ wetland¹⁴⁸ which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an

¹⁴⁵ S42A Report: Water allocation, Issue 2.3

¹⁴⁶ Response to Minute #21, Final Joint Witness Statement -Table 4.1, Reclassification Schedule and Allocation amounts, Hearing 3, 30 November 2017

¹⁴⁷ S42A Report: Water allocation, Issue 2.2, Consequential change

¹⁴⁸ S42A Report: Water allocation, Issue 1

intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried-out).

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

4.9.1 Minimum flows

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

Policy P111: Water takes at minimum flows and water levels

The take and use of water shall not occur when flows or water levels fall below **minimum flows or water levels** in the **whaitua** chapters (chapters 7-11), with the exception that water is available below **minimum flows or water levels**¹⁴⁹:

- (a) for firefighting, an individual's reasonable domestic needs and the reasonable needs of a ~~n individual's~~ person's¹⁵⁰ animals for drinking water as provided for by section 14(3)(b) and 14(3)(e) of the Resource Management Act 1991, or
- (b) for the take and use of water permitted by rules in the Plan, or
- (c) as authorised by resource consents in accordance with Policy ~~P108~~P115¹⁵¹.

Policy P112: Priorities in drought and serious water shortage

In times of drought and **serious water shortage** when flows or water levels fall below the **minimum flows or water levels** in the **whaitua** chapters of the Plan (chapters 7-11), water takes shall be limited to that required for firefighting, ~~human health~~ needs of people, animal drinking water ~~and rootstock protection~~.¹⁵²

4.9.2 Allocating water

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

Policy P113: Core allocation for rivers

The maximum allocation amounts for rivers (and their **tributaries**) and ~~groundwater directly connected to surface water~~ Direct connection (Category A) groundwater and High connection (Category B) groundwater (stream depletion)¹⁵³ not listed in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is:

¹⁴⁹ S42A Report: Water allocation, Issue 2.3

¹⁵⁰ S42A Report: Water allocation, Issue 2.6

¹⁵¹ S42A Report: Water allocation, Issue 2.3

¹⁵² S42A Report: Water allocation, Issue 3.1

¹⁵³ Response to Minute #21, Final Joint Witness Statement -Table 4.1, Reclassification Schedule and Allocation amounts, Hearing 3, 30 November 2017

- (a) for rivers with mean flows of greater than 5m³/sec, 50% of the **mean annual low flow**, or
- (b) for rivers with mean flows of less than or equal to 5m³/sec, 30% of the **mean annual low flow**.

Policy P114: Priorities when demand exceeds supply

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

- ~~(c) **the health needs of people, and**~~
- ~~(d) **stock drinking water, and**~~
- ~~(e) **other values.**~~

The take and use of water for the **health needs of people** by community drinking water supply or a group drinking water supply shall be a priority over other uses.¹⁵⁴

Policy P115: Authorising takes below minimum flows and lake levels

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

- (a) the **health needs of people** as part of **group drinking water supply** or **community drinking water supply**, and
- (b) the water used by industry from a **community drinking water supply** for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (c) **water races for the purpose of supplying water for the health needs of people and animal drinking water, and**¹⁵⁵
- (d) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of an **existing resource consent**¹⁵⁶, for the sole purpose of avoiding their death provided:
 - (i) the water shall only be available five days (120 hours) after **minimum flow or water level** cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and
 - (ii) the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and

¹⁵⁴ S42A Report: Water allocation, Issue 3.1

¹⁵⁵ S42A Report: Water allocation, Issue 2.3

¹⁵⁶ S42A Report: Water allocation, Issue 3.1

- (e) ~~direct connection~~ (category A)¹⁵⁷ groundwater which shall be required to reduce the take by 50% of the amount consented above **minimum flows or water levels**, and
- (f) ~~High connection~~ (category B) groundwater (~~directly connected~~), ~~Moderate connection~~ (category B) groundwater (not directly connected) and ~~Limited connection~~ (category C) groundwater in accordance with Table 4.1¹⁵⁸.

Policy P116: Reallocating water

Water that becomes available from resource consents that are surrendered, lapsed, cancelled or not replaced, and by **existing resource consents** that are replaced for a lesser amount shall not be reallocated if the **core allocation allocation amounts**¹⁵⁹ identified in Rules R.R1, WH.R1 and K.R1 in the **whaitua** chapters of the Plan (chapters 7, 8 and 10) is exceeded.

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

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

- (a) For rivers (and their tributaries) listed in Table 1 of Schedule V with mean flows of greater than 5m³/sec, up to 50% of the portion of flow in the river above the median flow at the point of abstraction, or
- (b) For rivers (and their tributaries) listed in Table 2 of Schedule V with mean flows of less than or equal to 5m³/sec, up to 10% of the total amount of flow in the river at the point of abstraction, or
- (c) For rivers and their tributaries not listed in either Table 1 or 2 of Schedule V up to 10% of the total amount of flow in the river at the point of abstraction¹⁶⁰

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

4.9.3 Reasonable and efficient use of water

Policy P118: Reasonable and efficient use

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

- (a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing **existing resource consents** have a period of four years

¹⁵⁷ S42A Report: Water allocation, Issue 2.2, Consequential change

¹⁵⁸ Response to Minute #21, Final Joint Witness Statement -Table 4.1, Reclassification Schedule and Allocation amounts, Hearing 3, 30 November 2017

¹⁵⁹ S42A Report: Water allocation, Issue 3.2

¹⁶⁰ RoR Report: Water allocation, Section 7.11

from the date of the plan being made operative to meet the [criteria measures](#)¹⁶¹, and

- (b) maximising the efficient use of water when designing systems to convey or apply water, and
- (c) industry guidelines, and
- (d) water use records.

Policy P119: Unused water

Unused water allocated to an **existing resource consent** (excluding existing resource consents for community or group drinking water supplies)¹⁶² may be re-allocated to the same user when the **existing resource consent** is replaced, or the abstraction rate is changed, only if the consent holder can demonstrate how the **unused water** will be used within four years, including by means of:

- (a) a capital expenditure programme linked to the purpose water is used for, and
- (b) satisfying the reasonable and efficient use [criteria measures](#)¹⁶³ identified in Schedule Q (efficient use).

Policy P120: Taking water for storage

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

4.9.4 Managing adverse effects

Policy P121: Preventing salt water intrusion

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

- (a) cessation of groundwater takes in a **catchment management unit** on the Kāpiti Coast when the water level at the foreshore falls below 1m above mean sea level (Wellington vertical datum 1953) (based on groundwater levels averaged over three days), and
- (b) maintaining water levels at 2m above mean sea level (Wellington vertical datum 1953) at the foreshore of the Hutt Valley aquifer zone shown in Figure 8.2, chapter 8: Wellington Harbour and Hutt Whaitua, (based on groundwater levels averaged over 24 hours) and cessation of water takes when the water level falls below 1.7m above mean sea level (Wellington vertical datum 1953)¹⁶⁴.

¹⁶¹ RoR Report: Water allocation, Section 8.1

¹⁶² S42A Report: Water allocation, Issue 3.2

¹⁶³ RoR Report: Water allocation, Section 8.1

¹⁶⁴ S42A Report: Water allocation, Issue 4.1

Policy P122: Flow variability

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

Policy P123: Direct, cumulative adverse effects

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

Policy P124: Surface water intakes

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

Policy P125: Taking of groundwater

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

Policy P126: Site dewatering

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

- (a) the ecosystem functioning of connected water bodies, and
- (b) the reliability of supply for existing surface and ground water users, and
- (c) the quality of surface or groundwater, and
- (d) the contamination of land and water.¹⁶⁵

Policy P127: Backflow of contaminants

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

- (a) industrial processes, and¹⁶⁶
- (b) equipment or infrastructure which is used to irrigate land or used to apply **animal effluent, agrichemicals** or nutrients.

4.9.5 Transferring water permits

Policy P128: Transfer of resource consents

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

¹⁶⁵ S42A Report: Water allocation, Issue 4.2

¹⁶⁶ S42A Report: Water allocation, Issue 4.1

- (a) the adverse effects of the take and use of transferred water are the same or less, and
 - (aa) within the same catchment management sub unit for takes within the Ruamāhanga Whaitua (chapter 7), or¹⁶⁷
- (b) the transfer occurs within the same **catchment management unit** for takes within any other whaitua (chapters 8-11)¹⁶⁸, and
- (c) the same or a lesser amount of water is being taken or used, and
- (d) measuring and reporting the use of transferred water is no less than in the parent resource consent, and
- (e) the transferee's water take and use is reasonable and efficient for the intended use, including meeting the reasonable and efficient use criteria identified in Schedule Q (efficient use).

4.9.6 Damming and diverting water

Policy P129: Minimum flows and water levels

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

4.9.7 Constructing and managing bores

Policy P130: Bores



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

- (a) be sited to ensure adequate separation from existing **bores**, avoid an over-concentration of **bores** in a particular area (except where intensive investigation is required on a site for geotechnical, contamination or other investigative purposes), and to minimise adverse effects on the reliability of supply from properly constructed, efficient and fully functioning existing **bores**, and
- (b) be constructed, and **bore** logs and other records be prepared, in accordance with the *NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock*, and
- (c) be used in a manner that prevents:
 - (i) contaminants from entering the **bore** from the land surface, and
 - (ii) the waste of water.

¹⁶⁷ RoR Report: Water allocation, Section 7.1

¹⁶⁸ RoR Report: Water allocation, Section 7.1

Policy P131: Bores no longer required



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

4.10 Coastal management

Coastal occupation charges



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

4.10.1 Primary coastal policies

Policy P132: Functional need and efficient use



Use and development in the coastal marine area shall:

- (a) have a **functional need**, or
- (b) have an **operational requirement** to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or
- (c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area,

and in respect of (a), (b) and (c):
- (d) only use the minimum area necessary, and
- (e) be made available for public or multiple use where appropriate, and
- (f) result in the removal of structures once redundant, and
- (g) concentrate in locations where similar use and development already exists where practicable.

Policy P133: Recreational values



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

Policy P134: Public open space values and visual amenity



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

- (a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and
- (b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment, and
- (c) taking account of the future need for public open space in the coastal marine area.

Policy P135: Safe passage

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

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

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

Policy P137: Airport height restriction areas

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

- (a) infringe the Wellington International Airport height restrictions (shown on Map 50), or
- (b) infringe the Kapiti Coast Airport 1 in 40 gradient approach surface fan expansion along its 3,000m length or the 1 in 7 gradient runway strip side clearances (shown on Map 51)

unless the structure is required for airport purposes.

4.10.2 Structures

Policy P138: Structures in sites with significant values

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

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

- (b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or
- (c) the structure will provide for navigational safety, or
- (d) it is necessary to enable the development, operation, maintenance and **upgrade of regionally significant infrastructure**,

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

- (e) there are no practicable alternative methods of providing for the activity-, and¹⁶⁹
- (f) adverse effects on aquatic ecosystems, habitats and species within the coastal marine area are managed in accordance with Policy P39A, and
- (g) adverse effects on sites with significant mana whenua values are managed in accordance with Policy P45, and
- (h) adverse effects on sites with significant geological values are managed in accordance with Policy P50¹⁷⁰.

Policy P139: Seawalls



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

- (a) existing, or **upgrades** to, infrastructure, or
 - (b) new **regionally significant infrastructure**,
- and in respect of (a) and (b):
- (c) there is no reasonable or practicable alternative means, and
 - (d) suitably located, and designed to minimise adverse effects on the coastal environment,¹⁷¹ and certified by a qualified, professional engineer, and
 - (e) designed to incorporate the use of **soft engineering** options where appropriate.

¹⁶⁹ RoR Report: Management of the coastal marine area, issue 7.3.

¹⁷⁰ Right of Reply Management of the CMA, Issue 6.1

¹⁷¹ S42A report: Management of the CMA, Issue 8

Policy P140: Boatshed Management Areas



New boatsheds shall be managed by:

- (a) avoiding the development of boatsheds outside Boatshed Management Areas (shown on Map 31), and
- (b) requiring that new boatsheds are compatible in scale, size and character to existing boatsheds.

Policy P141: Boatsheds



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

Policy P142: Lambton Harbour Area



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

- (a) provides for a range of activities appropriate to the harbour/city interface, and
- (b) is compatible with the urban form of the city, and
- (c) recognises the historic heritage character, development and associations of the area, and
- (d) does not detract from the amenity of the area, and
- (e) recognises that the **Lambton Harbour Area** is adjacent to the **Commercial Port Area**, which is a working port, and
- (f) ensures that the development of **noise sensitive activities** is adequately acoustically insulated in order to manage **reverse sensitivity** effects, and
- (g) enables social and economic benefits to Wellington City and the wider region, and
- (h) provides for open space, pedestrian and cycle through routes and access to and from the water, and
- (i) recognises **mana whenua waka** and **waka ama** uses and enables them to continue, and
- (j) has particular regard to provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.

4.10.3 Other activities in the coastal marine area

Policy P143: Deposition in a site of significance



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

- (a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or
- (b) it involves renourishment for the purpose of managing coastal erosion, or
- (c) it provides for public amenity, or
- (d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or
- (e) the activity is carried out by or for local authorities, or
- (f) it is necessary to enable the efficient development, operation, maintenance and **upgrade** of **regionally significant infrastructure**,

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

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

Policy P144: Dumping in a site with significant values



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

- (a) it is necessary to enable the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and
- (b) there are no practicable alternative methods of providing for the activity.

Policy P145: Reclamation, drainage and destruction



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

- (a) the **reclamation**, drainage or destruction is associated with the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**, and
- (b) there are no other locations outside the coastal marine area for the activity associated with the **reclamation**, drainage or destruction, and

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

Policy P146: Introduction of pest plants



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

Policy P147: Motor vehicles on the foreshore



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

- (a) surf lifesaving operations, or
- (b) emergency situations, including (but not restricted to) firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or
- (c) local authority activities, or
- (d) the development, operation, maintenance and **upgrade** of **regionally significant infrastructure**.

Policy P148: Motor vehicles in sites with significant value



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

Policy P149: Protection of the Tītahi Bay fossil forest



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

Policy P150: Noise and lighting



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

Policy P151: Underwater noise



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